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THE TRANSVAAL FROM WITHIN

THE TRANSVAAL FROM WITHIN

A Private Record of Public Affairs

BY
J. P. FITZPATRICK
AUTHOR OF 'THE OUTSPAN'

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PREFACE

[illegible] originally designed to compile a statement of the [illegible]urrences of 1895–6 in the Transvaal and of the conditions which led up to them, in the hope of removing the very grave misunderstandings which existed. Everybody else had been heard and judged, the Uitlander had only been judged. It therefore seemed proper that somebody should attempt to present the case for the Uitlander. The writer, as a South African by birth, as a resident in the Transvaal since 1884, and lastly as Secretary of the Reform Committee, felt impelled to do this, but suffered under the disability of President Kruger's three years' ban; and although it might possibly have been urged that a plain statement of facts and explanations of past actions could not be fairly regarded as a deliberate interference in politics, the facts themselves when set out appeared to constitute an indictment so strong as to make it worth while considering whether the Government of the Transvaal would not regard it as sufficient excuse to put in force the sentence of banishment. The postponement of publication which was then decided upon for a period of three years appeared to be tantamount to the abandonment of the original purpose, and the work was continued with the intention of making it a private record to be printed at the expiry of the term of silence, and to be privately circulated among those who were personally concerned or interested; a record which might perhaps be of service some day in filling in a page of South African history.

The private circulation of that work during June of the

present year led to suggestions from many quarters that it should be supplemented by a chapter or two dealing with later events and published; and the present volume is the outcome of these suggestions.

It is realized that much of what might properly appear in a private record will be considered rather superfluous in a book designed for wider circulation. For instance, a good deal of space is given to details of the trial and the prison life of the Reformers, which are of no interest whatever to the public, although they form a record which the men themselves may like to preserve. These might have been omitted but that the writer desired to make no alterations in the original text except in the nature of literary revision.

The writer may be charged by the "peace" party with deliberately selecting a critical and anxious time as opportune to contribute a new factor to those already militating against a peaceful settlement. Two replies could be made to this: one an excuse and one an answer. It would be an excuse that the writer did not deliberately select the time of publication, but that the Transvaal Government in its wisdom chose to impose silence for three years, and that the project with which their action had interfered was resumed at the earliest possible moment. The coincidence of another crisis with the date of emancipation may be an unlucky coincidence, or it may be a result. But there is neither necessity nor intention to offer excuses. The responsibility is accepted and the answer is that a case so sound needs only to be understood, that a recital of the facts must help to dispel the mists of race prejudice and misunderstanding which are obscuring the judgment of many; and that a firm but strictly just and dignified handling of the question by the Imperial Government is the only possible way to avert a catastrophe in South Africa. It is essential therefore that first of all the conditions as they are should be understood; and this record is offered as a contribution to that end. Let the measure of its truth be the measure of its usefulness!

The reader is not invited to believe that the case is presented in such form as it might have been presented by an impartial historian. It is the Transvaal *from within*, by

one who feels all the injustice and indignity of the position. With the knowledge, however, that a good case is spoiled by overstatement and with the desire to avoid injustice to others an earnest attempt has been made to state the facts fairly. In how far that attempt has been successful the reader must decide for himself.

J. P. F.

July, 1899.

NOTE

IT has been impossible to avoid in this volume more or less pointed reference to certain nationalities in certain connections; for instance such expressions as "the Boers," "the Cape Dutch," "the Hollanders," "the Germans," are used. The writer desires to say once and for all that unless the contrary is obviously and deliberately indicated, the distinctions between nationalities are intended in the political sense only and not in the racial sense, and if by mischance there should be found something in these pages which seems offensive, he begs the more indulgent interpretation on the ground of a very earnest desire to remove and not to accentuate race distinctions.

General references are also made to classes—"the civil service," "the officials," &c. There are officials in the Transvaal service who would earn the confidence and esteem of the public in any administration in the world. It is hardly necessary to say that there is no intention to disparage them.

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PART I.

A PRIVATE RECORD.

CHAPTER I.

IN EARLIER DAYS.

WHEN, before resorting to extreme measures to obtain what the Uitlanders deemed to be their bare rights, the final appeal or declaration was made on Boxing Day, 1895, in the form of the manifesto published by the Chairman of the National Union, President Kruger, after an attentive consideration of the document as translated to him, remarked grimly: 'Their rights. Yes, they'll get them—over my dead body!' And volumes of explanation could not better illustrate the Boer attitude and policy towards the English-speaking immigrants.

'L'État c'est moi' is almost as true of the old Dopper President as it was of its originator; for in matters of external policy and in matters which concern the Boer as a party the President has his way as surely and as completely as any anointed autocrat. To anyone who has studied the Boers and their ways and policy—who has given more than passing consideration to the incidents and negotiations of the present year[1]—it must be clear that President Kruger does something more than represent the opinion of the people and execute their policy: he moulds them in the form he wills. By the force of his own strong convictions and prejudices, and of his indomitable will, he has made the Boers a people whom he regards as the germ of the Africander nation; a people chastened, selected, welded, and strong enough to attract and assimilate all their kindred in South Africa, and then to realize the dream of a Dutch Republic from the Zambesi to Capetown.

[1] Written in 1896.

In the history of South Africa the figure of the grim old President will loom large and striking—picturesque, as the figure of one who by his character and will made and held his people; magnificent, as one who in the face of the blackest fortune never wavered from his aim or faltered in his effort; who, with a courage that seemed, and still seems, fatuous, but which may well be called heroic, stood up against the might of the greatest empire in the world. And, it may be, pathetic, too, as one whose limitations were great, one whose training and associations—whose very successes—had narrowed, and embittered and hardened him; as one who, when the greatness of success was his to take and to hold, turned his back on the supreme opportunity, and used his strength and qualities to fight against the spirit of progress, and all that the enlightenment of the age pronounces to be fitting and necessary to good government and a healthy State.

To an English nobleman, who, in the course of an interview, remarked, 'My father was a Minister of England, and twice Viceroy of Ireland,' the old Dutchman answered, 'And my father was a shepherd!' It was not pride rebuking pride; it was the ever-present fact which would not have been worth mentioning but for the suggestion of the antithesis. He too was a shepherd, and is—a peasant. It may be that he knows what would be right and good for his people, and it may be not; but it is sure that he realizes that to educate would be to emancipate, to broaden their views would be to break down the defences of their prejudices, to let in the new leaven would be to spoil the old bread, to give unto all men the rights of men would be to swamp for ever the party which is to him greater than the State. When one thinks on the one-century history of the people, much is seen that accounts for their extraordinary love of isolation, and their ingrained and passionate aversion to control; much too that draws to them a world of sympathy. And when one realizes the old Dopper President hemmed in once more by the hurrying tide of civilization, from which his people have fled for generations—trying to fight both fate and Nature—standing up to stem a tide as resistless as the eternal sea—one sees the pathos of the picture. But this is as another generation may see it. To-day we are too close—so close that the meaner details, the

blots and flaws, are all most plainly visible; the corruption, the insincerity, the injustice, the barbarity—all the unlovely touches that will by-and-by be forgotten—sponged away by the gentle hand of time, when only the picturesque will remain.

In order to understand the deep, ineradicable aversion to English rule which is in the heart and the blood and the bones of every Boer, and of a great many of their kindred who are themselves British subjects, one must recall the conditions under which the Dutch came under British rule. When, in 1814, the Cape was finally ceded to England, it had been twice acquired and held by conquest. The colonists were practically all Dutch, or Huguenots who had adopted Dutch as their language, and South Africa as their home. In any case they were people who, by tradition, teaching and experience, must have regarded the English as their enemies; people in whom there must have been roused bitter resentment against being handed over with the land to their traditional enemies. Were they serfs or subjects? has been asked on their behalf. Had Holland the right, the power, over freemen born, to say to them, 'You are our subjects, on our soil, and we have transferred the soil and with it your allegiance to England, whose sovereignty you will not be free to repudiate.' The Dutch colonist said 'No.' The English Government and the laws of the day said 'Yes.'

Early in the century the Boers began to trek away from the sphere of British rule. They were trekkers before that, indeed. Even in the days of Van Riebeck (1650) they had trekked away from the crowded parts, and opened up with the rifle and the plough new reaches of country; pioneering in a rough but most effective way, driving back the savage races, and clearing the way for civilization. There is, however, a great difference to be noted between the early treks of the emigrants and the treks 'from British rule.' In the former (with few exceptions) they went, knowing that their Government would follow them, and even anxious to have its support and its representatives; and the people who formed their migrating parties were those who had no or insufficient land in the settled parts, those who were starting life on their own account, or those whose families could not be located

and provided for in the cramped circumstances of the more occupied parts. In the other case, rich and poor, old and young, went off as in the days and in the fashion of Moses or Abraham. They went without leave or help of the Government; secretly or openly they went, and they asked nothing but to be left alone. They left their homes, their people, the protection of an established Government and a rough civilization, and went out into the unknown. And they had, as it appeared to them, and as it will appear to many others, good reasons for taking so grave a step. For, although the colonists of South Africa enjoyed better government, and infinitely more liberty, under British rule, than they had under the tyrannical *régime* of the Dutch East India Company twenty years before (against which the Boers had twice risen in rebellion) there were many things which were not as they should have been. A generation had grown up which knew nothing of the arbitrary and oppressive rule of the old Dutch Company. Simple folks have long memories, and all the world over injuries make a deeper and more lasting impression than benefits; and the older generation of Boers, which could recall a condition of things contrasting unpleasantly with British rule, also remembered the executions of Slagters Nek—a vindication of the law which, when all allowance has been made for disturbed times, and the need of strong measures to stop rebellion in a newly-acquired country, seems to us to-day to have been harsh, unnecessary, and unwise in policy, and truly terrible in the manner of fulfilment.

The Boers have produced from their own ranks no literary champion to plead or defend their cause, and their earlier history is therefore little known, and often misunderstood; but to their aid has come Mr. George McCall Theal, the South African historian, whose years of laborious research have rescued for South Africa much that would otherwise have been lost. In his 'History of the Boers' Mr. Theal records the causes of the great emigration, and shows how the Boers stood up for fair treatment, and fought the cause, not of Boers alone, but of all colonists. Boers and British were alike harshly and ignorantly treated by high-handed Governors, and an ill-informed and prejudiced Colonial Office, who made

no distinction on the grounds of nationality between the two; for we read that Englishmen had been expelled the country, thrown in gaol, had their property confiscated, and their newspapers suppressed for asserting their independence, and for trifling breaches of harsh laws. The following extract gives the best possible synopsis of the causes, and should whet an appetite which can be gratified by the purchase of Mr. Theal's book:

Why, then, did these men abandon their homes, sacrifice whatever property could not be carried away, and flee from English rule as from the most hateful tyranny? The causes are stated in a great mass of correspondence addressed by them to the Colonial Government, and now preserved, with other colonial records, in declarations published by some of them before leaving, in letters to their relatives and to newspapers, and in hundreds of pages of printed matter, prepared by friendly and hostile hands. The declaration of one of the ablest men among them assigns the following as the motives of himself and the party that went with him:

'GRAHAM'S TOWN,
'*January* 22, 1837

'1. We despair of saving the colony from those evils which threaten it by the turbulent and dishonest conduct of vagrants who are allowed to infest the country in every part; nor do we see any prospect of peace or happiness for our children in a country thus distracted by internal commotions.

'2. We complain of the severe losses which we have been forced to sustain by the emancipation of our slaves, and the vexatious laws which have been enacted respecting them.

'3. We complain of the continual system of plunder which we have for years endured from the Kaffirs and other coloured classes, and particularly by the last invasion of the colony, which has desolated the frontier districts, and ruined most of the inhabitants.

'4. We complain of the unjustifiable odium which has been cast upon us by interested and dishonest persons, under the name of religion, whose testimony is believed in England, to the exclusion of all evidence in our favour; and we can foresee, as the result of this prejudice, nothing but the total ruin of the country.

'5. We are resolved, wherever we go, that we will uphold the just principles of liberty; but, whilst we will take care that no one is brought by us into a condition of slavery, we will establish such regulations as may suppress crime, and preserve proper relations between master and servant.

'6. We solemnly declare that we leave this colony with a desire to enjoy a quieter life than we have hitherto had. We will not molest any people, nor deprive them of the smallest property; but, if attacked, we shall consider ourselves fully justified in defending our persons and effects, to the utmost of our ability, against every enemy.

'7. We make known that when we shall have framed a code of laws for our guidance, copies shall be forwarded to this colony for general information; but we take the opportunity of stating that it is our firm

resolve to make provision for the summary punishment, even with death, of all traitors, without exception, who may be found amongst us.

'8. We purpose, in the course of our journey, and on arrival at the country in which we shall permanently reside, to make known to the native tribes our intentions, and our desire to live in peace and friendly intercourse with them.

'9. We quit this colony under the full assurance that the English Government has nothing more to require of us, and will allow us to govern ourselves without its interference in future.

'10. We are now leaving the fruitful land of our birth, in which we have suffered enormous losses and continual vexation, and are about to enter a strange and dangerous territory; but we go with a firm reliance on an all-seeing, just, and merciful God, whom we shall always fear, and humbly endeavour to obey.

'In the name of all who leave the colony with me,

'P. RETIEF.'

But formal declarations such as the above are not in all instances to be trusted. It is much safer to compare numerous documents written at different times, by different persons, and under different circumstances. For our subject this means of information is as complete as can be desired. The correspondence of the emigrants with the Cape Government was the work of many individuals, and extended over many years. The letters are usually of great length, badly constructed, and badly spelt—the productions, in short, of uneducated men; but so uniform is the vein of thought running through them all, that there is not the slightest difficulty in condensing them into a dozen pages. When analyzed, the statements contained in them are found to consist of two charges, one against the Imperial Government, the other against the agents in South Africa of the London Missionary Society.

The Imperial Government was charged with exposing the white inhabitants of the colony, without protection, to robbery and murder by the blacks; with giving credence in every dispute to statements made by interested persons in favour of savages, while refusing to credit the testimony, no matter how reliable, of colonists of European extraction; with liberating the slaves in an unjust manner; and generally with such undue partiality for persons with black skins and savage habits, as to make it preferable to seek a new home in the wilderness than remain under the English flag.

The missionaries of the London Society were charged with usurping authority that should properly belong to the civil magistrate; with misrepresenting facts; and with advocating schemes directly hostile to the progress of civilization, and to the observance of order. And it was asserted that the influence of these missionaries was all powerful at the Colonial Office in London, by which the colony, without a voice in the management of its affairs, was then ruled absolutely.

In support of the charges against the Imperial Government, the emigrants dwelt largely upon the devastation of the eastern districts by the Kaffirs' inroad of December, 1834, which was certainly unprovoked by the colonists. Yet Lord Glenelg, who was then Secretary of State for the Colonies, justified the Kaffirs, and not only refused to punish them, but actually gave them a large slip of land, including the dense jungles along the Fish River, that had long been part of the colony; and made no other provision against the recurrence of a destructive invasion than a series of treaties with a number of barbarous chiefs, who had no regard for their engagements. This event is the most prominent feature

in the correspondence of the emigrants; it is fairly recorded, and the language used is in general much more moderate than that employed by the English frontier colonists when relating the same circumstance.

Next stands the removal of all restraint from the coloured population of the colony, without the protection to the whites of even a Vagrant Act. Several of the colonial divisions had been for ten or twelve years overrun by fugitives from the Basuto and Betshuana countries, who had been driven from their own homes by the troubles already recorded. These people were usually termed Mantatees or Makatees, from the supposition that they were all subjects of Ma Ntatisi. Towards the eastern frontiers Kaffirs, and after the war Fingos, wandered about practically wherever they chose. In the remainder of the colony Hottentots, free blacks, and mixed breeds came and went as they pleased. How is it possible, said the farmers, for us to cultivate the ground, or breed cattle, with all these savages and semi-savages constantly watching for opportunities to plunder us—with no police, and no law under which suspicious characters can be arrested and made to account for their manner of living?

Much is said of the reproofs of Sir Benjamin D'Urban by the Secretary of State, and, after 1838, of the dismissal of that Governor. (1) The emigrants asserted that he was the best Governor the colony had had since it became subject to England; they dwelt upon his benevolence, his ability, his strict justice, his impartiality to white and black, his efforts to promote civilization; and then they complained, in words more bitter than are to be found when they referred to any other subject, that the good Governor had been reproved, and finally deprived of his office, because he had told the plain truth, regardless of the London Missionary Society; and had endeavoured to mete out to black criminals the same justice that he would have meted out had they been white. There is now no one in South Africa who does not agree with the emigrants in this matter. Nearly half a century has passed away since Sir Benjamin D'Urban was forced into retirement by Lord Glenelg; and during that period the principal measures which he proposed have been approved of and adopted, while the successors of those missionaries who were his bitter opponents are at present among the strongest advocates of his system of dealing with the natives.

Sir Benjamin D'Urban remained in South Africa, after being deprived of office, until the reversal of his policy towards the natives was admitted by most people even in England to have been a mistake. He did not leave the Cape until April, 1846, just after the commencement of the War of the Axe.

Concerning the liberation of the slaves, there is less in this correspondence than one might reasonably expect to find. Many scores of pages can be examined without any allusion whatever to it. Nowhere is there a single word to be found in favour of slavery as an institution; the view of the emigrants, with hardly an exception, being fairly represented in the following sentence, taken from a letter of the Volksraad at Natal to Sir George Napier: 'A long and sad experience has sufficiently convinced us of the injury, loss, and dearness of slave labour, so that neither slavery nor the slave trade will ever be permitted among us.'

[The allusions to the emancipation of slaves, and to slavery as an institution, will be considered by many to need some

modification or explanation. The Dutch even to-day speak of the emancipation as the real cause of the great exodus; and the system of indenture, and the treatment of natives generally by the Boers, cannot fairly be regarded as warranting the view expressed by Mr. Theal in connection with this letter to Sir George Napier.]

It is alleged, however, that the emancipation, as it was carried out, was an act of confiscation. It is stated that most of the slaves were brought to the colony in English ships, and sold by English subjects; that when, in 1795, the colony was invited by English officers of high rank to place itself under the protection of England, one of the inducements held out was security in slave property; at the same time those officers warning the colonists that if France obtained possession she would liberate the slaves, as she had done in Martinique, thereby ruining this colony as she had ruined that island; that the English Government had recently and suddenly changed its policy, and required them to conform to the change with equal alacrity, whereas they were convinced that gradual emancipation, with securities against vagrancy, was the only safe course. The emancipation had been sudden, and the slaves had been placed upon a perfect political equality with their former proprietors. The missionaries applauded this as a noble and generous act of the Imperial Government, and they were told that by everyone in England it was so regarded. But at whose expense was this noble and generous act carried out? Agents of the Imperial Government had appraised the slaves, generally at less than their market value. Two-fifths of this appraisement, being the share apportioned to the Cape out of the twenty million pounds sterling voted by the Imperial Parliament, had then been offered to the proprietors as compensation, if they chose to go to London for it, otherwise they could only dispose of their claims at a heavy discount. Thus, in point of fact, only about one-third of the appraised amount had been received. To all slave-holders this had meant a great reduction of wealth, while to many of those who were in debt it was equivalent to the utter deprivation of all property.

As regards the missionaries, a crusade was organized by some of these worthies, who had themselves married Kaffir women, and who spared no effort and showed no scruple in blackening the name of colonist.

The views and interests of the colonists and of these men were so different that concord was hardly possible. The missionaries desired that the blacks should be collected together in villages: the colonists were unwilling that they should be thus withdrawn from service. 'Teach them the first step in civilization, to labour honestly for their maintenance, and add to that oral instruction in the doctrines of Christianity,' said the colonists. 'Why should they be debarred from learning to read and write? And as there can only be schools if they are brought together in villages, why should they not be collected together?' replied the missionaries.

Then came another and a larger question. By whom should the waste places of the land, the vast areas which were without other occupants than a few roving Bushmen, be peopled? 'By the white man,' said the colonists; 'it is to the advantage of the world in all time to come that the higher race should expand and be dominant here; it would be treason to humanity to prevent its growth where it can grow without wrong to others, or to plant an inferior stock where the superior can take root and flourish.' 'By Africans,' said the missionaries; 'this is African soil; and if mission stations are established on its desolate tracts, people will be drawn to them from the far interior, the community will grow rapidly, those enlightened by Christianity here will desire in their turn to enlighten their friends beyond, and thus the Gospel teaching will spread until all Africa stretches out its hands to God.' Coupled with such arguments, which were constantly used by missionaries in the early part of this century, before their enthusiasm was cooled by experience, were calculations that appealed strongly to the commercial instincts of people in England. A dozen colonial farmers required something like a hundred square miles of land for their cattle runs; on this same ground, under missionary supervision, three or four hundred families of blacks could exist; these blacks would shortly need large quantities of manufactured goods; and thus it would be to the interest of trade to encourage them rather than the colonists. 'Already,' said they, 'after only a few years' training, many blacks can read as well or better than the ordinary colonists, and are exhibiting a decided taste for civilization.'

There was thus a broad line of demarcation between the colonists and such of the missionaries as held these views, and the tendency on each side was to make it still broader. It was deepened into positive antipathy towards those missionaries who, following Dr. Vanderkemp's example, united themselves in marriage with black women, and proclaimed themselves the champions of the black population against the white. Everyone acquainted with South African natives knows how ready they are to please their friends by bringing forward charges against anyone whom those friends dislike. Unfortunately the missionaries Vanderkemp and Read were deceived into believing a great number of charges of cruelty made against various colonists, which a little observation would have shown in most instances to be groundless; and thereupon they lodged accusations before the High Court of Justice. In 1811 between seventy and eighty such cases came before the Circuit Court for trial. There was hardly a family on the frontier of which some relative was not brought as a criminal before the judges to answer to a charge of murder or violent assault. Several months were occupied in the trials, and more than a thousand witnesses were examined, but in every instance the most serious charges were proved to be without foundation. Only a few convictions, and those of no very outrageous crimes, resulted from these prosecutions, which kept the entire colony in a ferment until long after the circuit was closed.

Thus far everyone will approve of the sentiments of one party or the other according to his sympathy, but in what follows no unprejudiced person who will take the trouble to study the matter thoroughly can acquit the anti-colonial missionaries of something more faulty than mere error of judgment. For years their writings teemed with charges against the colonists similar to those they had brought before the High Court of Justice. These writings were circulated widely in Europe, where the voice of the colonists was never heard, and they created

impressions there which no refutation made in South Africa could ever counteract. The acts, the language, even the written petitions of the colonists, were so distorted in accounts sent home, that these accounts cannot now be read by those who have made themselves acquainted with the truth, without the liveliest feelings of indignation being excited.

The colonists learned that in England they were regarded as cruel barbarians because they refused to permit Hottentot herds, swarming with vermin, to be seated in their front rooms at the time of family prayer. They found themselves pictured as the harshest of taskmasters, as unfeeling violators of native rights. And of late years it had become plain to them that the views of their opponents were being acted upon at the Colonial Office, while their complaints were wholly disregarded.

Several causes of dissatisfaction, besides those above mentioned, contributed to the impulse of emigration, but all in a very slight degree. Judge Cloete, in his 'Five Lectures,' mentions the severe punishment inflicted upon the frontier insurgents of 1815 as one of them; and there is no doubt that it was so with some families, though no trace of it can be found in the correspondence of the emigrants. The substitution in 1827 of the English for the Dutch language in the colonial courts of law was certainly generally felt as a grievance. The alteration in 1813 of the system of land tenure, the redemption in 1825 of the paper currency at only thirty-six hundredths of its nominal value, and the abolition in 1827 of the courts of landdrost and heemraden, unquestionably caused much dissatisfaction, though all of these measures are now admitted by everyone to have been beneficial. The long delay in issuing titles to farms, the cost of which has been paid to Government years before, is mentioned as a grievance in some of the declarations.

Two parties — men, women, and children — numbering ninety-eight in all, pioneered the great trek; of these twenty-six survived fever and fighting, loss of provisions, waggons, and cattle, and a long weary tramp from Zoutpansberg to Delagoa Bay, and were rescued and taken thence to Natal, and two children were carried off by the natives. The survivors were three women with their twelve children—seven orphan children and four youths. Not a single grown man escaped.

During the winter of 1836 preparations for emigration were being made over the eastern and midland districts. The Governor was perfectly helpless in the matter. The Attorney-General, Mr. A. Oliphant, was consulted by the Governor, and gave his opinion that 'it seemed next to an impossibility to prevent persons passing out of the colony by laws in force, or by any which could be framed.' On August 19 Sir Benjamin D'Urban wrote to the Lieutenant-Governor, Sir Andries Stockenstrom, that 'he could see no means of stopping the emigration, except by persuasion, and attention to the wants and necessities of the farmers.' In that direction the Governor had done all that was in his power, but he could not act in opposition to the instructions of the Secretary of State. Sir Andries Stockenstrom himself, in replying to an address from the inhabitants of Uitenhage,

stated that 'he was not aware of any law which prevented any of his Majesty's subjects from leaving his dominions and settling in another country; and such a law, if it did exist, would be tyrannical and oppressive.'

The story of the trekkers is one of surpassing interest, and must enlist for them the sympathy and unbounded admiration of all.

By the middle of the year 1837 there were over one thousand waggons between the Caledon and Vaal rivers—truly a notable and alarming exodus; and the Boers then began the work of carving out new countries for themselves. Their history surpasses all fiction in its vicissitudes, successes, and tragedies. They fought and worked and trekked, onward, always onward—never returning—on beyond the furthermost outposts of civilization.

And so the story rolls on, gaining pathos, but losing no whit of interest from its eternal sameness. They fought, and worked, and starved, and died for their land of promise, where they might hope to be alone, like the simple people of their one Book; where they might never know the hated British rule; where they might never experience the forms and trammels, the restlessness and changes, the worries, the necessities or benefits, of progressing civilization. Their quarrel had been with the abuses and blunders of one Government; but a narrow experience moved them to mistrust all but their own pastoral patriarchal way, moulded on the records of the Bible, and to regard the evidences of progress as warnings of coming oppression and curtailment of liberty, and a departure from the simple and ideal way. The abuses from which they suffered are no more; the methods which were unjust have been abandoned; the ignorance of the ruler has been dispelled; in place of despotism there is autonomy; justice rules where ignorance and bias sat; liberty where there was interference; protection for oppression; progress and civilization have increased as in no other epoch; and the nation and Government from which they severed themselves have taken their place in the very forefront of all. But the Boer sees with the eyes of sixty years ago!

The ideal was impossible, the struggle hopeless, the end

certain. They trekked, and trekked and trekked again; but the flag of England—emblem of all they hated—was close by; behind, beside, in front, or over them; and the something which they could not fight—the ever-advancing tide of civilization—lapped at their feet, and slowly, silently, and for ever blotted out the line where they had written, 'Thus far and no further.'

The South African Republic had been in existence as an independent State for twelve years when it reached that condition of insolvency which appeared to invite, or at least justify, annexation, as the only alternative to complete ruin and chaos. And there are very few, even among the most uncompromising supporters of the Boers, who seriously attempt to show that the Transvaal had any prospect of prolonging its existence as an independent State for more than a few months when Sir Theophilus Shepstone annexed it in 1877. The following picture is from a book published by the late Alfred Aylward, the Fenian, more anti-British than the Boer himself, who was present at the time, and wrote his book in order to enlist sympathy for the movement then (1878) organized to obtain a cancellation of the annexation. The value of Aylward's testimony would not be fairly appreciated without some explanation.

Sir Bartle Frere describes him (and quotes Scotland Yard authorities who knew him well) as one of the party who murdered the policeman at Manchester, and one of the worst and most active of the dynamiting Irishmen—a professional agitator, who boasted of his purpose to promote the Transvaal rebellion. Major Le Caron, too, stated on oath before the Parnell Commission that money was sent by the Irish Rebel Societies, through Aylward, to stir up the Transvaal rebellion. This is what Aylward says:

All South Africa was for the moment at rest, with the exception of the district of Utrecht, where an old-standing grievance with Cetewayo was the cause of some little alarm and excitement (*i.e.*, Cetewayo's threatened invasion). Still, the Transvaal was disturbed throughout its whole extent by the expectation of some pending change—a change coming from the outside, which had been invited by an active, discontented party, chiefly foreigners, dwellers in towns, non-producers, place-hunters, deserters, refugees, land-speculators, 'development-men,' and

pests of Transvaal society generally, who openly preached resistance to the law, refusal to pay taxes, and contempt of the natural and guaranteed owners of the country in which they lived, in the distinctly expressed hope that foreign intervention would fill the country with British gold, and conduce to their own material prosperity. The Boers, spread over a country larger than France, were stunned into stupor by the demonstrative loudness of the party of discontent. In some districts they (the Boers) were poor, and could not readily pay the taxes imposed upon them by the wars and railway projects of the Government. Their Volksraad was in Session, but its every action was paralyzed by the gloom of impending dissolution.

The Republic owed £215,000, which it had no immediate means of paying. Its creditors were clamorous; whilst the Executive, turn to which side it would, found itself confronted by threats, reproaches, accusations of slavery and cruelty based upon hearsay, and which, like the annexation that steadily approached, could not be met, because neither of them had yet assumed the evidenced consistency of actual fact. There was no public opinion to support the Government or to save the Republic. The Boers lived far apart from each other, whilst the annexationists and the party of disorder dwelt, in compact communities, in towns and mining villages. Into the midst of this confusion —into the capital of this bewildered State—entered Sir Theophilus Shepstone and his staff. He had not come to seize the country—he had come as 'an adviser, as a helper, and as a friend'; but his advent was a blight—an incubus which rendered additionally powerless the unfortunate President and his Council. The coming of Sir Theophilus Shepstone was, to the minds of nearly all, but too clearly the forerunner of change. In the face of this additional whet to the anticipations of the party of disturbance, something that has been described as anarchy prevailed. Everyone waited; all fell into a state of expectation; no one attempted to save the State, or repel the danger. At the same time, there was no anarchy in the proper sense of the word. Justice sat on her seat; criminals were arrested and brought to trial; actions at law were heard and determined; and in no one place, save the goldfields, was authority, even for a moment, defied. There the law vindicated itself without having used violence or shed one drop of blood. Not one single public outrage, not one unpunished crime, marked this period of suspense, which is described by partizan writers as a time of chaos and anarchy.

Peace was granted to Secocoeni, and the quietness and gloom of the country became even more profound.

Now, had a commission, royal or joint, been opened in Pretoria to inquire into the truth of the allegations made against the Government, history might perhaps be able to record that judgment, followed by justice, had overtaken the Transvaal. No commission was opened. There was a banquet and a ball. The suspense increased in intensity. Understrappers, and agents of the discontented faction, filled the country with rumours of impending annexation, and sometimes of impending conquest. The Boers, the inhabitants of the country, asked day after day what was the mission of the English Commissioner. They visited him in hundreds; but he knew the wonderful advantage to be gathered from the heightening of the mystery, and the intensifying of the excitement. He listened to everyone; but he maintained a gloomy and impassive silence, neither checking the aspirations of the annexationists, nor dissipating the forebodings of the farmers.

News arrived that troops were marching towards, and massing on,

the border; rumours spread that annexation was inevitable. Sir Theophilus sought not to alleviate the anxieties of the Government, nor to quell the now rising alarm amongst the people; he simply sat still and listened, watching the writhings and strugglings of the doomed Volksraad, and awaiting a favourable moment to end its existence.

At length someone determined to ask: 'Was it not possible to avert this annexation which loomed before every mind, brooding like a shadow upon the country?' He went to Sir Theophilus; he asked his question; and at length the oracle spoke. Without moving a muscle of his wonderfully impassive countenance, without even raising his eyes to look at the interlocutor, Sir Theophilus calmly murmured: 'It is too late!—too late!' And so, without the authorization of the home Government, without the consent of her Majesty's High Commissioner, without the concurrence of the Volksraad, against the will of thirty-nine-fortieths of the people, and in defiance of the protest of their Executive, as Mr. Anthony Trollope puts it, Sir Theophilus said: 'Then and from thenceforth the Transvaal shall be British property!' So he put up the Queen's flag.

Now, it is impossible to conceive anything more admirable for its discretion, more wisely calculated as to the moment of its occurrence, or more suavely and yet firmly done than this act. There was not a blow struck, not a shot fired; and the first impulse of nearly every person in the country, whether in principle opposed to annexation or not, was to congratulate Sir Theophilus Shepstone on the skill, tact, and good fortune with which he had put an end to the excessive anxiety, the mental strain, the fears, hopes, and expectations by which the whole country was paralyzed. Whether the annexation be now held to be right or wrong, its execution, so far as regards the act itself, was an unparalleled triumph of tact, modesty, and firmness.

It was not discovered at the moment, and it never entered into any man's mind to consider, that it was the presence in Pretoria of Sir Theophilus himself that had created the anxiety, and caused the paralysis; and that it was his arts and presence that had tightened and strung up into quivering intensity the mind of the country. He had broken the spell; he had introduced certainty in place of uncertainty; and he was congratulated, and very properly so, for the manner in which he had brought to a conclusion his hazardous mission.

Sir Theophilus Shepstone's despatches record his negotiations with President Burgers, and the arrangement which allowed him to make a formal protest against the annexation, so as to satisfy his Irreconcilables, whilst he in reality not only assented to the measure, but even assisted the completion of it, and discussed the details with Shepstone, who in turn had revised President Burgers' 'protest.'

On April 3, 1877, Shepstone had written to Frere:

Mr. Burgers, who had been all along, as far as his conversation and professions to me went, in full accord with me, had suddenly taken alarm; he made impossible proposals, all of which involved infinite delay, and, of course, dangerous agitation. As far as I am concerned,

it is impossible for me to retreat now, come what may. If I were to leave the country, civil war would at once take place, as the natives would consider it the sunshine in which they could make hay in the Transvaal; the goldfields are in a state of rebellion against the Transvaal Government, and they are kept from overt acts only by my warnings and entreaties.

And eight days later he wrote to Mr. Robert Herbert enclosing his letter under 'flying seal' to Frere:

There will be a protest against my act of annexation issued by the Government, but they will at the same time call upon the people to submit quietly, pending the issue; you need not be disquieted by such action, because it is taken merely to save appearances, and the members of the Government from the violence of a faction that seems for years to have held Pretoria in terror when any act of the Government displeased it.

You will better understand this when I tell you privately that the President has from the first fully acquiesced in the necessity for the change, and that most of the members of the Government have expressed themselves anxious for it; but none of them have had the courage openly to express their opinions, so I have had to act apparently against them; and this I have felt bound to do, knowing the state and danger of the country, and that three-fourths of the people will be thankful for the change when once it is made.

Yesterday morning Mr. Burgers came to me to arrange how the matter should be done. I read to him the draft of my Proclamation, and he proposed the alteration of two words only, to which I agreed. He brought to me a number of conditions which he wished me to insert, which I have accepted, and have embodied in my Proclamation. He told me that he could not help issuing a protest, to keep the noisy portion of the people quiet—and you will see grounds for this precaution when I tell you that there are only half a dozen native constables to represent the power of the State in Pretoria, and a considerable number of the Boers in the neighbourhood are of the lowest and most ignorant class. Mr. Burgers read me, too, the draft of his protest, and asked me if I saw any objection to it, or thought it too strong. I said that it appeared to me to pledge the people to resist by-and-by; to which he replied that it was to tide over the difficulty of the moment, seeing that my support, the troops, were a fortnight's march distant, and that by the time the answer to the protest came, all desire of opposition would have died out. I therefore did not persuade him from his protest.

You will see, when the proclamation reaches you, that I have taken high ground. Nothing but annexation will or can save the State, and nothing else can save South Africa from the direst consequences. All the thinking and intelligent people know this, and will be thankful to be delivered from the thraldom of petty factions, by which they are perpetually kept in a state of excitement and unrest, because the Government, and everything connected with it, is a thorough sham.

This arrangement with President Burgers was a most improper compromise on both sides. Moreover, Shepstone

received the protests of the Executive Council and of the Volksraad before he issued his proclamation. He had plenty of evidence to show that even if his action was approved by the majority, the Boers were sufficiently divided to demand some delay. He knew that the members of the Government and of the Raad would not face the responsibility of relinquishing the State's independence, although he received private assurances and entreaties encouraging him to act. He had representations and deputations from the Boers themselves, sufficient in weight and number to warrant his belief that a large proportion of the people desired annexation. He should not have allowed the 'hedging' that was practised at his expense. The Boer leaders were 'between the devil and the deep sea.' There can be no doubt whatever that they dearly loved and prized their independence and would have fought even then for it had they been in a position to preserve and profit by it; but they were not. They dared neither ask for relief at the price of annexation, nor reject the proffered relief at the price of continuing the hopeless struggle. So they compromised. They took the relief, they accepted pay of the new Government, and entered a protest, so as to put themselves right with the records and stand well with untamed ones of the party.

The Act of Annexation is so generally condemned by the friends and sympathizers of the Boers, and is so persistently quoted by them as the cause of the Boer War, that it is only right to show clearly what the opinion was at that time; and if it be deemed that overmuch space is given to this matter, the answer is, that it is quoted now as the crime which gave rise to the present hatred and mistrust of England, and it is all-important that the truth should be clear.

This is what Mr. J. F. Celliers, the patriotic editor of the Boer newspaper, *De Volksstem*, wrote in reviewing the work of the special session of the Volksraad, convened to deal with the questions of Lord Carnarvon's Federation Bill, and the rescuing of the country from ruin and chaos:—'During the session we have repeatedly had occasion to comment on the doings of the Raad. These comments have not been favourable, and we regret to say that we have found in the closing scenes of our Legislature no reason to alter our opinions.'

Then follows a scathing account of the 'work done,' in which occur such references as:—'With the exception of a couple of members, no one had the sense or manliness to go into the question of confederation'; and 'The most surprising feature of the whole affair was this—that most of the speakers seemed not to have the faintest conception of the desperate condition in which the country stood. . . .' And again, under date of March 28: 'About three months ago we said we would prefer confederation under the British flag if the state of anarchy then threatening were to continue. We know that a good and stable Government is better than anarchy any day.'

It is noteworthy that the writer of the above is the same Mr. Celliers who, two years later, was put in gaol by Colonel Lanyon on a charge of sedition, because he attacked the Administration for its failure to keep the promises made at the time of annexation.

Three thousand out of eight thousand voters actually signed petitions in favour of annexation. In the Raad, President Burgers openly reproached members for proclaiming in public, and for improper reasons, views diametrically opposed to those privately expressed on the confederation and annexation questions; and refused to consult with three out of four members appointed as a deputation to confer with him on these subjects, because they had not paid their taxes, and had so helped by example, not less than by the actual offence, to cause the ruin of the country and the loss of independence. And on March 3 President Burgers read an address to the Raad, in which the following words occur:

'I would rather be a policeman under a strong Government than the President of such a State. It is you—you members of the Raad and the Boers—who have lost the country, who have sold your independence for a *soupe* (a drink). You have ill-treated the natives, you have shot them down, you have sold them into slavery, and now you have to pay the penalty.'

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'We should delude ourselves by entertaining the hope that matters would mend by-and-by. It would only be self-deceit. I tell you openly, matters are as bad as they ever can be; they cannot be worse. These are bitter truths, and people may perhaps turn their backs on me; but then I shall have the consolation of having done my duty.'

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'It is said here this or that man must be released from taxes, because the Kaffirs have driven them off their farms, and occupy the latter. By this you proclaim to the world that the strongest man is master here, that the right of the strongest obtains here.' [Mr. Mare: 'This is not true.'] 'Then it is not true what the honourable member, Mr. Breytenbach, has told us about the state of the Lydenburg district; then it is not true either what another member has said about the farms in Zoutpansberg, which are occupied by Kaffirs. Neither is it true, then, what I saw with my own eyes at Lydenburg, where the burghers had been driven off their farms by the Kaffirs, and where Johannes was ploughing and sowing on the land of a burgher. These are facts, and they show that the strongest man is the master here. The fourth point which we have to take into account affects our relations with our English neighbours. It is asked, What have they got to do with our position? I tell you, as much as we have to do with that of our Kaffir neighbours. As little as we can allow barbarities among the Kaffirs on our borders, as little can they allow that in a state on their borders anarchy and rebellion should prevail.'

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'Do you know what has recently happened in Turkey? Because no civilized government was carried on there, the Great Powers interfered and said, "Thus far, and no further." And if this is done to an empire, will a little republic be excused when it misbehaves?'

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'Complain to other Powers, and seek justice there? Yes, thank God! justice is still to be found, even for the most insignificant; but it is precisely the justice which will convict us. If we want justice, we must be in a position to ask it with unsullied hands.'

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'Whence has arisen that urgency to make an appeal for interference elsewhere? Has that appeal been made only by enemies of the State? Oh no, gentlemen; it has arisen from real grievances. Our people have degenerated from their former position; they have become demoralised; they are not what they ought to be.'

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'To-day a bill for £1,100 was laid before me for signature; but I would sooner have cut off my right hand than sign that paper, for I have not the slightest ground to expect that when that bill becomes due there will be a penny to pay it with.'

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The President added, and his statements remained uncontradicted:

The principal thing which had brought them to their present position was that to which they would not give attention. It was not this or that thing which impeded their way, but they themselves stopped the way; and if they asked him what prevented the people from remaining

independent, he answered that the Republic was itself the obstruction, owing to the inherent incapacity and weakness of the people. But whence this weakness? Was it because they were deformed? because they were worse than other people? because they were too few and too insignificant to occupy the country? Those arguments did not weigh with him. They were not true; he did not consider them of any importance. The people were as good as any other people, but they were completely demoralized; they had lost faith in God, reliance upon themselves, or trust in each other. Hence he believed they were inherently weak.

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He did not believe that a new constitution would save them; for as little as the old constitution had brought them to ruin, so little would a new constitution bring them salvation.

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The Great Powers, with all their greatness, all their thousands of soldiers, would fall as quickly as this State had fallen, and even more quickly, if their citizens were to do what the citizens of this State had done; if the citizens of England had behaved towards the Crown as the burghers of this State had behaved to their Government, England would never have stood as long as she had, not even as long as this State had stood. This State owed obligations to other countries; they knew that the fire which had nearly consumed this State would, if felt by them, very soon consume them also.

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In several of the cities of Holland there were people who had subscribed for only one debenture, because they thought men of their own blood were living in South Africa. What was the consequence? The interest up to July last had been paid; in January of this year £2,250 was due for interest, and there was not a penny to meet it.

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To take up arms and fight was nonsense; to draw the sword would be to draw the sword against God, for it was God's judgment that the State was in the condition it was to-day; and it was their duty to inquire whether they should immerse in blood the thousands of innocent inhabitants of this country, and if so, what for? For an idea—for something they had in their heads, but not in their hearts; for an independence which was not prized. Let them make the best of the situation, and get the best terms they possibly could; let them agree to join their hands to those of their brethren in the south, and then from the Cape to the Zambesi there would be one great people. Yes, there was something grand in that—grander even than their idea of a Republic—something which ministered to their national feeling. And would this be so miserable? Yes; this would be miserable for those who would not be under the law, for the rebel and revolutionist, but welfare and prosperity for the men of law and order.

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They must not underrate their real and many difficulties. He could point to the south-western border, the Zulu, the goldfields, and other

questions, and show them that it was their duty to come to an arrangement with the British Government, and to do so in a bold and manly manner. An hon. member on Saturday last had spoken with a fervent patriotism; but he had failed to appreciate the reference, because it amounted to this—that they must shut their eyes to everything, so as to keep their independence.

President Burgers, who left the Transvaal broken-hearted, more by the cruel and mean intriguing and dissensions among, and disloyalty of, his own people, which made the annexation possible, than by the Act itself, when dying left a statement of the case. It is too long to reproduce in its entirety. He shows how the English faction worked for annexation, and how the Dopper party, headed by Kruger, allied themselves with the former in intrigue against the Government, thwarting all effort at reform and organization, and encouraging the refusal to pay taxes. He states plainly that this course was pursued by Kruger in order to oust him from power, and secure the Presidency for himself. He shows how he opposed 'that other element which had formerly worked in secret, viz., British interference, which got a strong support from the Boers themselves, and one of their chief leaders, P. Kruger, who had betrayed me, after promising me his and his party's support.' He gives the final scene as follows:

The Volksraad had gone away, having done nothing but harm. The members of the Executive had gone home, as if all were safe, and I sat with a half-new Cabinet and part of an old one, half discharged. Yet I made one attempt more, and drafted a letter to Shepstone, intimating that I would oppose the annexation by force of arms, etc.; and showed this to two members of the Executive. The response to my appeal, however, was so weak (one of them being in league with the English) that I had to abandon the project, and try to prepare for the worst. When, therefore, Shepstone's announcement came—that he could wait no longer, that he had given us time enough to reform, and that he must issue his proclamation—I could do no more than advise a protest, and an appeal to foreign powers. This having been agreed to by my Government, I met Shepstone in presence of the Executive, and what could be saved for the country, such as its language, its legislature, the position of its officials, etc., was arranged. Before issuing his proclamation, Shepstone desired to see copies of both mine and the Government protest. This I promised, on condition he showed me his proclamation before publication: to which he agreed. To one clause I greatly objected, and protested—namely, the threat of confiscation of property for disobeying the proclamation. I pointed out that this was

barbarous, and would be punishing a man's innocent family for his actions. The clause was omitted. This is the origin of the lie that I helped Shepstone in drawing up his proclamation. In justice to Shepstone, I must say that I would not consider an officer of my Government to have acted faithfully if he had not done what Shepstone did; and if the act was wrong (which undoubtedly it was), not he, but his Government, is to blame for it.

Messrs. Kruger and Jorissen left within a month to protest in England against the annexation.

Sir T. Shepstone wrote (May 9): 'Mr. Paul Kruger and his colleague, Dr. Jorissen, D.D., the Commission to Europe, leave to-day. I do not think that either of them wishes the Act of Annexation to be cancelled; Dr. Jorissen certainly does not.' And Mr. J. D. Barry, Recorder of Kimberley, wrote to Frere (May 15): 'The delegates, Paul Kruger and Dr. Jorissen, left Pretoria on the 8th, and even they do not seem to have much faith in their mission. Dr. Jorissen thinks that the reversal of Sir Theophilus's Act would not only be impossible, but a great injury to the country.'

It is not necessary to seek hostile testimony to establish the fact that the Boers as a whole acquiesced in the annexation; the foregoing quotation from Aylward's book supplies all that is needed—unintentionally, perhaps. The Zulu menace, which Aylward so lightly dismisses, was a very serious matter; the danger a very real one. It has frequently been asserted by the Boers and their friends that the Zulu trouble was fomented by a section of the Natal people, and that Sir Theophilus Shepstone himself, if he did not openly encourage the Zulu King in his threats and encroachments on the Transvaal, at any rate refrained from using his unique influence and power with the Zulus in the direction of peace, and that he made a none too scrupulous use of the Zulu question when he forced the annexation of the Transvaal. It is stated that, in the first place, there was no real danger, and in the next place, if there were, such was Sir Theophilus's power with the Zulus that he could have averted it; and in support of the first point, and in demolition of Sir T. Shepstone's pro-annexation arguments, the following extract from the latter's despatches is quoted by Aylward and others:

EXTRACT FROM DESPATCH, DATED UTRECHT, TRANSVAAL, JANUARY 29, 1878.

Sir T. Shepstone to Sir H. Bulwer.

Par. 12. 'Although this question has existed for many years, and the settlement of it has been long postponed, yet on no former occasion has it assumed so serious an aspect, or included so wide an area of territory; never before has there existed any bar to the farmers occupying their farms after an absence more or less temporary, caused by a temporary and local scare. Practically, the line of occupied farms has not been heretofore affected by the dispute about the beaconed boundary, but now the prohibition to these has become absolute by Zulu claims and action. Ruin is staring the farmers in the face, and their position is, *for the time, worse under Her Majesty's Government than ever it was under the Republic.*'

Had Sir T. Shepstone's power been as great as represented, it is fair to suppose that it would have been exerted, and would have prevailed in support of his own administration; but it seems clear that he could do nothing; and as to the reality of the danger, nothing could better establish that than the unpleasant admissions in the foregoing extract and the initial disasters in the Zulu War a year later. The Boers' protective power was not lessened by the annexation —quite otherwise. It was supplemented by British money, arms, and soldiers, and the prestige of the British flag, and yet things happened as above described. What would they have been under the old conditions?

The day before he issued the proclamation Sir T. Shepstone sent a messenger to Cetewayo, telling him that the Transvaal would be under British sovereignty, and warning him against aggression in that direction. Cetewayo replied: 'I thank my father Somtseu (Shepstone) for his message. I am glad that he has sent it, because the Dutch have tired me out, and I intended to fight with them once, only once, and to drive them over the Vaal. Kabana, you see my impis are gathered. It was to fight the Dutch I called them together. Now I will send them back to their houses.' (C. 1883 p. 19.)

Colonel A. W. Durnford, R.E., in a memorandum of July 5, 1877, wrote:

About this time (April 10) Cetewayo had massed his forces in three corps on the borders, and would undoubtedly have swept the Trans-

vaal, at least up to the Vaal River, if not to Pretoria itself, had the country not been taken over by the English. In my opinion, he would have cleared the country to Pretoria.

'I am convinced,' wrote Sir A. Cunynghame, June 12, from Pretoria, 'that had this country not been annexed, it would have been ravaged by the native tribes. Forty square miles of country had been overrun by natives, and every house burned, just before the annexation.' And he wrote again, July 6: 'Every day convinces me that unless this country had been annexed it would have been a prey to plunder and rapine from the natives on its border, joined by Secocoeni, Mapok, and other tribes in the Transvaal. Feeling the influence of the British Government, they are now tranquil.'

So much for the reality of the danger. As to the causes of it and the alleged responsibility of Natal, Sir Bartle Frere, in a letter to General Ponsonby, made the following remarks:

The fact is, that while the Boer Republic was a rival and semi-hostile power, it was a Natal weakness rather to pet the Zulus as one might a tame wolf, who only devoured one's neighbour's sheep. We always remonstrated, but rather feebly; and now that both flocks belong to us, we are rather embarrassed in stopping the wolf's ravages.

Sir B. Frere realized fully the dangers, and gave his testimony as to Boer opinion. On December 15, 1877, he wrote, concerning his policy towards the Zulus:

My great anxiety is, of course, to avoid collision, and I am satisfied that the only chance I have of keeping clear of it is to show that I do not fear it. The Boers are, of course, in a state of great apprehension, and I have ordered those of the two frontier districts of Utrecht and Wakkerstrom to hold themselves in readiness, should I find it necessary to call upon them for active service.

Sir T. Shepstone also wrote, concerning the reality of the danger, under date December 25:

The Boers are still flying, and I think by this time there must be a belt of more than a hundred miles long and thirty broad, in which, with three insignificant exceptions, there is nothing but absolute desolation. This will give your Excellency some idea of the mischief which Cetewayo's conduct has caused.

And again (April 30, 1878):

I find that Secocoeni acts as a kind of lieutenant to Cetewayo. He received directions from the Zulu King, and these directions are by Secocoeni issued to the various Basuto tribes in the Transvaal.

Sir T. Shepstone rushed the annexation. He plucked the fruit that would have fallen. He himself has said that he might have waited until the Zulus actually made their threatened murderous raid. That might have been Machiavelian statecraft, but it would not have been humanity; and there was nothing in the attitude of the Boer leaders at the time of the annexation which foreshadowed the fierce and determined opposition which afterwards developed. The fact seems to be that the people of the Transvaal were either in favour of the annexation, or were overpowered and dazed by the hopelessness of the Republic's outlook; and they passively assented to the action of Sir Theophilus Shepstone and his twenty-five policemen. The Boers were quite unable to pay the taxes necessary to self-government and the prosecution of the Kaffir wars. The Treasury was empty—save for the much-quoted 12s. 6d. The Government £1 bluebacks were selling at 1s. Civil servants' salaries were months in arrear. The President himself — the excitable, unstable, visionary, but truly enlightened and patriotic Burgers—had not only drawn no salary, but had expended his private fortune, and incurred a very heavy liability, in the prosecution of the unsuccessful Secocoeni war. No amount of *ex post facto* evidence as to the supposed feelings and opinions of the Boers can alter a single one of the very serious facts which, taken together, seemed to Sir Theophilus to justify the annexation. But it all comes down to this: If the passive acquiescence in the annexation coincided strangely with the Republic's failure to defeat its enemies and pay its debts, it is no whit less odd that Lord Carnarvon's anxiety for the Republic's safety synchronized with his attempt to confederate South Africa.

The real mistakes of the British Government began *after* the annexation. The failure to fulfil promises; the deviation from old ways of government; the appointment of unsuitable officials, who did not understand the people or their language; the neglect to convene the Volksraad or to hold fresh elec-

tions, as definitely promised; the establishment of personal rule by military men, who treated the Boers with harshness and contempt, and would make no allowance for their simple, old-fashioned ways, their deep-seated prejudices, and, if you like, their stupid opposition to modern ideas: these things and others caused great dissatisfaction, and gave ample material for the nucleus of irreconcilables to work with.

During the occupation period Mr. Kruger took office under the British Government, as also did Dr. Jorissen and Chief Justice (then Judge) Kotzé, and indeed all the officials who had protested against the annexation, except Mr. Piet Joubert, who declined to do so, and who, if actions be the test and not words, was the only honest protestant. Mr. Kruger retained his office for some time after he had concerned himself in the Repeal agitation, but finally resigned his post on being refused an increased remuneration, for which he had repeatedly applied. There can be but little doubt that had this inducement been forthcoming, he would have remained a loyal British subject.

The effect of the annexation was to start the wells of plenty bubbling—with British gold. The country's debts were paid. Secocoeni and Cetewayo would be dealt with, and the responsibility for all things was on other and broader shoulders. With the revival of trade, and the removal of responsibilities and burdens, came time to think and to talk. The wave of the magician's wand looked so very simple that the price began to seem heavy. The eaten bread was forgotten. The dangers and difficulties that were past were of small account now that they *were* past; and so the men who had remained passive, and recorded formal protests when they should have resisted, and taken steps to show that they were in earnest, began their Repeal agitation. All the benefits which the Boers hoped from the annexation had now been reaped. Their pressing needs were relieved. Their debts had been paid; their trade and credit restored; their enemies were being dealt with. Repeal would rob them of none of these; they would, in fact, eat their cake and still have it. The Zulu question had been taken up, and could not now be left by the Imperial Government to settle itself. The debts discharged for them and the outlays incurred might, it is true, be charged

to them. They could not be repaid, of course, for the same reason that you cannot get blood from stone; and the amount would, therefore, be a National Debt, which was exactly what they had been trying for years to incur, and the condition of their credit had made it impossible to do.

The causes of discontent before given were serious, but the failure to fulfil promises was not deliberate. Circumstances combined to prevent Sir Bartle Frere from visiting the Transvaal, as intended and promised. Native wars (Gaika and Galeka), disagreements between the Colonial and Imperial authorities, the obstructions and eventual dismissal of the Molteno-Merriman Ministry — the first under Responsible Government—Natal and Diamond-fields affairs, and, above all, the Zulu War, all combined to prevent Sir Bartle Frere from fulfilling his obligations to settle Transvaal matters.

In the meantime two deputations had been sent to England, representing the Boers' case against annexation. The active party among the Boers, *i.e.*, the Voortrekker party, the most anti-British and Republican, though small in itself, had now succeeded in completely dominating the rest of the Boers, and galvanizing them into something like national life and cohesion again — a result achieved partly by earnest persuasion, but largely also by a kind of terrorism.

Sir Bartle Frere, who managed at last to visit the Transvaal, in April, 1879, had evidence of this on his journey up, and in a despatch to Sir M. Hicks Beach from Standerton on the 6th of that month he wrote:

I was particularly impressed by the replies of a very fine specimen of a Boer of the old school. He had been six weeks in an English prison, daily expecting execution as a rebel, and had been wounded by all the enemies against whom his countrymen had fought—English, Zulus, Basutos, Griquas, and Bushmen.

'But,' he said, 'that was in the days of my youth and inexperience. Had I known then what I know now, I would never have fought against the English, and I will never fight them again. Old as I am, I would now gladly turn out against the Zulus, and take fifty friends of my own, who would follow me anywhere; but I dare not leave my home till assured it will not be destroyed and my property carried off in my absence, by the men who call me "rebel" because I will not join them against the Government. My wife, brought up like a civilized woman in the Cape Colony, has had five times in her life to run from the house and sleep in the veld when attacked by Zulus and Basutos. One of our twelve sons was assegaied in sight of our house, within the last ten

years, by a marauding party; and in my absence from the house, when it was surrounded by Basutos, my wife had to fly in the night by herself, leading one child and carrying another on her back. She walked nearly fifty miles through the Lion Veld, seeing three lions on the way, before she reached a place of safety. It is not likely that we should forget such things, nor wish them to recur; but how can I leave her on my farm and go to Zululand, when the malcontent leaders threaten me that if I go they will burn my house and drive off all my stock? Assure me that we are not to be deserted by the English Government, and left to the mercy of these malcontent adventurers, and I and my people will gladly turn out to assist Colonel Wood.'

I find that this idea that the English Government will give up the Transvaal, as it formerly did the Orange Free State, has been industriously propagated, and has taken a great hold on the minds of the well-disposed Boers, and is, I believe, one main cause of reluctance to support the Government actively.

They argue that what has been done before may be done again, and they have no feeling of assurance that if they stand by the English Government to-day they will not be left to bear the brunt of the malcontents' vengeance when a Republic is established.

And again on the 9th, from Heidelberg:

The idea that we should somehow be compelled or induced to abandon the country had taken great hold on the minds of some of the more intelligent men that I met. It has been seduously written up by a portion of the South African press, English as well as Dutch. I marked its effect particularly on men who said they had come from the old Colony since the annexation, but would never have done so had they believed that English rule would be withdrawn, and the country left to its former state of anarchy. . . .

But there is great practical difficulty in conveying to the mass of the people any idea of the real power of Government.

It is not possible to pen a more severe and pregnant comment on the after-policy of England than that suggested by the italicized lines, written as they were by England's Plenipotentiary—an idea reported to headquarters, not as a feeler, but as a suggestion so absurd that it called for no expression of opinion. But he lived to find that it was not too absurd to be realized; and perhaps, after all, it was written as a warning, and the wise and cool-headed old statesman in his inmost soul had a premonition of what eventually occurred.

Sir Bartle Frere met the Boers in their camp, and discussed with them their grievances. He informed them that he had no power to revoke the annexation, nor would he recommend it, as, in his judgment, such a course would be a reversion to chaos and ruin. The Boers pressed steadily for nothing less

than repeal. Sir Bartle Frere reported the historical meeting at Erasmus Farm to Sir M. Hicks Beach:

April 14, 1879.

They were evidently much disappointed. . . . Our meeting separated with no more definite decision than that they must report to the 'people,' and be guided by their decision as to what was to be done.

If I may judge from the gentlemen composing the deputation, and others of their class, whom I have had the honour of meeting since coming to the Transvaal, the leaders are, with few exceptions, men who deserve respect and regard for many valuable and amiable qualities as citizens and subjects. . . .

Of the results of our meeting it is impossible at present to say more than that it must have cleared away misconceptions on all sides. If they have learnt anything as to the finality of the act of annexation—that I have no power to undo it, and do not believe that it will ever be undone, in the only sense in which they will ask it—I have, on the other hand, been shown the stubbornness of a determination to be content with nothing else, for which I was not prepared by the general testimony of officials who had been longer in the country, and who professed to believe that the opposition of the Boers was mere bluster, and that they had not the courage of their professed opinions. . . . I feel assured that the majority of the Committee felt very deeply what they believed to be a great national wrong. . . . But my conviction is that the real malcontents are far from being a majority of the whole white population, or even of their own class of Boer farmers.

I have no doubt whatever that if the Executive were in a position to assert the supremacy of the law, to put an effectual stop to the reign of terrorism which exists at present, the discontented minority would cease to agitate, and would soon cease to feel grievances which a very brief discussion shows to be in the main sentimental; not the less keenly felt on that account, but not likely to survive the prosperity and good government, with a fair measure of self-government in its train, which are within their reach under British rule.

And, again, he wrote to Lady Frere:

PRETORIA, *April* 20, 1879.

My last letter had not been gone many hours by the mail express when Lanyon ran into my room, to tell me that the Boer camp was actually broken up and the Boers dispersing.

I need not tell you how thankful I was. The one thing I dreaded was civil war and bloodshed, and had a single malcontent been shot, I should have considered it a greater misfortune than the death of a dozen Piet Retiefs, or Uys, dying like heroes in the field of battle for their country and brethren. So you may imagine how thankful I felt to the Giver of all good, who has guided and protected us through life.

I am to see a deputation from the Boers' Committee again to-morrow, and then I hope we shall have done with meetings and grievances—for the present a phrase which they carefully put into all references to their breaking up, and which they evidently mean. *It was clear to me that it was not the annexation, so much as the neglect to fulfil the promises*

and the expectations held out by Shepstone when he took over the Government, that has stirred up the great mass of the Boers, and given a handle to agitators.[1]

There it is in a single sentence! It was not the annexation which caused the war; for nine men in every ten admitted that it was welcomed and justified by considerations of general South African policy, or else simply inevitable. No! It was the failure to fulfil the conditions of annexation!

In 'A Narrative of the Boer War,' Mr. Thomas Fortescue Carter has given with admirable skill and impartiality a full account of the causes which led to the outbreak. His history is, indeed, so determinedly just as to have met with considerable disapproval in quarters where feelings are hot on either side, and where plain truths are not palatable. Mr. Carter resided in the country for years before the annexation, and went through the war as correspondent of a well-known London daily, and this is his opinion:

Anyone who knows the acquaintance Sir T. Shepstone had with the Boers of the Transvaal, years prior to the annexation, cannot doubt that, regarded as a friend and almost as one of themselves, no one better than he could have been selected for the task of ascertaining the desires of the people; and no one who knows Sir T. Shepstone will believe that he did not take sufficient evidence to prove to any man that the Boers were anxious to be extricated from the dilemma they were in, and really willing at that time that their country should be annexed. Men who during the late war were our foes were at the time of the annexation clamouring for it, welcoming Sir Theophilus Shepstone as the deliverer and saviour of the country. I mention Swart Dirk Uys, an eminent Boer, who fought against the English in 1880–81, as one amongst the hundreds and thousands who went out to meet Sir Theophilus Shepstone with palm branches in their hands.

The natural aversion of the people to English rule was overcome for the moment by their greater aversion to being wiped off the face of the Transvaal by the blacks; that was a contingency staring them in the face, and yet not even that imminent common danger availed to secure unity amongst them, or would rouse men individually to take upon their shoulders the responsibility which rests upon every member of a State.

The Boer Volksraad, after promising to appeal to their constituents on the subject of the new constitution proposed, almost immediately passed a measure, which was familiarly styled by the people the 'Hou jou smoel law.' The literal translation of this term is 'Hold your

[1] Several of the letters and despatches given in this volume are quoted from Mr. Martineau's excellent 'Life of Sir Bartle Frere,' a portion of which book was lately published in cheaper form, under the title of 'The Transvaal Trouble and How it Arose.'

jaw.' In brief, it was an Act which made it high treason for any man to discuss the question of either confederation or annexation.

I come to the conclusion, then, that the cause of the annexation was England's historical greed of territory, especially rich territory; and that, however unworthy the motive on the part of the visiting power, the Boers did not at that time receive the visitor with other feelings than those of satisfaction, and practically surrendered their country voluntarily and gladly to the ruler of a greater power, under the impression that Sir Theophilus Shepstone would be permitted to carry out, and that he therefore would carry out, the promises he made them. As the programme was open before them, they had everything to gain and nothing to lose, except the loss entailed by nominal government by the British. No man, whether Boer or Britisher, who was living in the Transvaal, or knew the feelings of the Boers at the time of annexation, would in 1877 have given any other account of the feeling of the nation; and if I have formed too low an opinion of the motives of English statesmen at that time, and am not justified in attributing the annexation to greed instead of to the purer and nobler desire to protect England's colonies, or even the Transvaal itself, from the inroads of savages, then my excuse must be that the failure of England to send out at that time a force equal to the task of restraining those savages and maintaining peace, has helped materially to lead me to the unwarrantable conclusion.[1]

And so came the war. The history of it is written that all may read; and it is not necessary here to refer at length to the details of it. The utterly unjust treatment of Bezuidenhout at Potchefstroom was the immediate cause of the outbreak. The armed interference of the Potchefstroom burghers with the Imperial officials followed on December 16, to be in turn succeeded by the battle of Bronkhorst Spruit on the 20th.

The following account of the affair is taken from Mr. Carter's book:

All went well on this day till about 2.30 p.m., when the following was about the order of march: One mounted infantryman in advance of the main body next the band; of F company, forty men; of A company, forty men; then followed the quarter-guard, thirteen men; and provost-escort and prisoners, twenty-three men. The remainder of the force was posted along the string of waggons, with the exception of the rear-guard of about twenty men, which were some distance behind. Colonel Anstruther, Captains Nairne and Elliott, Lieutenant Hume, and Adjutant Harrison were riding just in front of the band, when suddenly Boers appeared all round. The locality that the regiment had reached at the time was one where stood several farms, and the trees surrounding these homesteads afforded cover under which a hostile force could

[1] It is only fair to state that *at that time* the Home Government believed the prestige of the Imperial authority to be sufficient for all purposes.

assemble without being perceived from a distance. On the right was a ravine with wood in it, and amongst that the Boers were lying in ambush. How unexpected was the appearance of a force of Boers to the English may be judged from the fact that the band of the regiment was playing at the time. Colonel Anstruther, immediately he caught sight of the enemy on the crest of a slight rise to the front, called a halt, and the order was passed to the rear for the waggons to close up. Before this could be done a messenger from the enemy, carrying a white flag, came forward and handed the Colonel a note signed by Piet Joubert, and countersigned by other Boer leaders, desiring him to halt where he was until a reply had been received from Sir Owen Lanyon to the ultimatum the Boers had addressed to him. The message also contained the warning that if the soldiers advanced beyond a small stream in front of them, it would be taken as a declaration of war. Colonel Anstruther, with Conductor Egerton, had ridden out in front of the advanced guard to meet this flag of truce; after he had read the message, the bearer of it informed him verbally that two minutes were allowed for his decision. Colonel Anstruther verbally replied that he should march on to Pretoria, and, to use his own words, as published in his despatch written just before he died, the Boer messenger 'said that he would take my message to the Commandant-General; and I asked him to let me know the result, to which he nodded assent. Almost immediately, however, the enemy's line advanced.'

Whilst this short parley was going on, every effort was being made in the rear to get the waggons up, but without much good result, because when the Boers opened fire the rear-guard would be at least half a mile behind the head of the column. Even those who were guarding the waggons had not time to join the main body. When Colonel Anstruther saw the Boers advancing, he gave the order to his men to extend in skirmishing order, but before they could open out to more than loose files they were met with a murderous volley, and at the same time Boers on the right and left flank and in the rear, who had previously measured and marked off the distances, picked off every man within sight. Our men returned the fire as best they could, but in less than ten minutes 120 were either killed or wounded, besides a large proportion of the oxen in the waggons shot. The officers who exposed themselves were picked off almost immediately by the Boer marksmen. Captain Nairne, Lieutenant M'Sweeney, Lieutenant and Adjutant Harrison, Lieutenant Hume, Deputy-Assistant Commissary-General Barter, Conductor Egerton, Surgeon Ward, were all wounded, besides Colonel Anstruther himself, who was shot in two or three places.

It was useless to contend against such odds, and the 'cease fire' was sounded, and handkerchiefs waved to denote submission. During this unequal struggle, Mrs. Smith, the widow of the bandmaster of the regiment, who, with the wife of Sergeant-Major Fox and some children, were riding in one of the foremost waggons, came fearlessly up to where the wounded lay, and, tearing strips from her clothing, helped the surgeon to bandage the wounds. The sergeant-major's wife was severely wounded, as was also Fox himself. There was no lack of heroism during those awful ten minutes, whilst men were being shot down like dogs. Lieutenant Harrison was shot through the head while cheering on his men; Lieutenant Hume was equally conspicuous for his coolness. An orderly-room clerk named Maistre and the Sergeant-Master-Tailor Pears quietly concealed the regimental colours in a waggon-box when they saw the danger of them falling into the hands of the enemy; and their work was not in vain, as Conductor Egerton

managed subsequently to wrap them round his body under his tunic, and having obtained permission after the fight was over to walk to Pretoria for medical assistance, he carried them safely to the capital, as well as the disastrous news of the engagement. Forty-two miles traversed by a wounded man on foot in eleven hours is in itself a feat worth mentioning, and one the value of which can only be really estimated by those who know what South African roads are in the rainy seasons.

As soon as our force surrendered, Franz Joubert, who had been in command of the Boers, and who, it is said, fired the first shot, with the exclamation, 'What is the use of waiting?' came forward with some of his men, and on finding poor Colonel Anstruther severely wounded expressed sorrow.

Whether the affair of Bronkhorst Spruit can be called an act of treachery on the part of the Boers is rather a nice question. Colonel Anstruther's words—the words of a dying man—rather go to prove that he was unfairly treated, though he does not say so directly. He was given to understand by the messenger who came with the flag of truce that another communication would be made to him as soon as his reply to the request to halt had been reported to the Boer Commandant. The only reply given him was 'a murderous volley.' The Boers cannot lay claim to much bravery or superiority (except in numbers) over our soldiers in this fight. Theirs was a deliberately-planned ambush to entrap men who had no idea that they were marching in an enemy's country. Bronkhorst Spruit engagement is the one during the whole of the war which does not redound to the credit of the Dutch, even if it does not reflect great discredit upon them. If a reasonable time had been allowed Colonel Anstruther to give his reply, the 94th could not then say, as they do say and will say, that they were treacherously surprised. 'Two minutes' looks, under the circumstances, very much like an idle pretence of fair dealing to cover an intentional act of cowardice which subsequent conduct could hardly palliate. The Boers say that they had not more men than were marching with the 94th on that occasion; that statement is worth very little, considering the evidence of our officers, and, above all, the harsh evidence of the facts that the 94th was from advance-guard to rear-guard practically surrounded and outnumbered in every direction.

The preparedness of the Boers and the precision of their fire may be gathered from the testimony of Dr. Crow, of Pretoria, who attended the wounded, and vouched for an average of five wounds per man. Dr. Crow also wrote:

But as disastrous as the late war in the Transvaal had been to British prestige, thank God those at Bronkhorst Spruit did their duty and died like men, a noble example to any army. If any stain has been cast on the British flag in the Transvaal, the gallant 94th did all that was possible by their deeds at Bronkhorst Spruit to obliterate it.

The news of this affair was received with horror, and the feelings roused by the details of it have never been allayed.

Race-hatred may have its origin in a hundred little incidents, but in the Transvaal there were two which undoubtedly, whether justly or otherwise, gave a character to the Boers that has embittered feeling against them more than any which had occurred in generations previous. The second affair followed very closely on the Bronkhorst Spruit engagement—*i.e.*, the infamous murder of Captain Elliot, the only surviving unwounded officer from Bronkhorst Spruit. Captains Elliot and Lambert were taken prisoners, and were offered the choice of two alternatives—either to remain prisoners of war during the hostilities in the Transvaal, or to be released on *parole d'honneur* on condition that they should leave the Transvaal at once, cross into the Free State under escort, and not bear arms against the Republican Government during the war. The second alternative was chosen. They received an escort and free pass from Commandant-General Piet Joubert. The following is extracted from Captain Lambert's Report to Sir George Colley on January 5:

We started about 1 p.m. from the Boer camp, passing through the town of Heidelberg. After going about six to eight miles, I noticed we were not going the right road, and mentioned the fact to the escort, who said it was all right. Having been 'look-out' officer in the Transvaal, I knew the district well. I was certain we were going wrong, but we had to obey orders. At nightfall we found ourselves nowhere near the river drift, and were ordered to outspan for the night, and next morning the escort told us they would look for the drift. Inspanning at daybreak, we again started, but after driving about for some hours across country, I told the escort we would stop where we were while they went to search for the drift. Shortly after they returned and said they had found it, and we must come, which we did, eventually arriving at the junction of two rivers (Vaal and Klip), where we found the Vaal impassable, but a small punt, capable of holding only two passengers at most, by which they said we must cross. I pointed out that it was impossible to get my carriage or horses over by it, and that it was not the punt the General said we were to cross. The escort replied it was Pretorius's punt that the General told them to take us, and we must cross; that we must leave the carriage behind and swim the horses, which we refused to do, as we then should have had no means of getting on. I asked them to show me their written instructions, which they did (written in Dutch), and I pointed out that the name of Pretorius was not in it. I then told them they must either take us back to the Boer camp again or on to the proper drift. We turned back, and after going a few miles the escort disappeared. Not knowing where we were, I proposed to Captain Elliot we should go to the banks of the Vaal, and follow the river till we came to the proper punt.

After travelling all Monday, Tuesday, and up till Wednesday about 1 p.m., when we found ourselves four hours, or twenty-five miles, from Spencer's punt, we were suddenly stopped by two armed Boers, who handed us an official letter, which was opened, and found to be from the Secretary to the Republican Government, stating that the members were surprised that, as officers and gentlemen, we had broken our *parole d'honneur*, and refused to leave the Transvaal; that if we did not do so immediately by the nearest drift, which the bearers would show us, we must return as prisoners of war; that as through our ignorance of the language of the country there might be some misunderstanding, they were loth to think we had willingly broken our promise. We explained that we should reply to the letter, and request them to take it to their Government, and were prepared to go with them at once. They took us back to a farmhouse, where we were told to wait until they fetched their commandant, who arrived about 6 p.m., and repeated to us the same that was contained in our letter of that day. We told him we were ready to explain matters, and requested him to take our answer back to camp. He then ordered us to start at once for the drift. I asked him, as it was then getting dark, if we could start early next morning, but he refused. So we started, he having said we should cross at Spencer's, being closest. As we left the farmhouse, I pointed out to him that we were going in the wrong direction; but he said, 'Never mind; come on across a drift close at hand.' When we got opposite it, he kept straight on; I called to him, and said that this was where we were to cross. His reply was, 'Come on!' I then said to Captain Elliot. 'They intend taking us back to Pretoria,' distant some forty miles. Suddenly the escort (which had all at once increased from two to eight men, which Captain Elliot pointed out to me; and I replied, 'I suppose they are determined we shall not escape, which they need not be afraid of, as we are too keen to get over the border') wheeled sharp down to the river, stopped, and, pointing to the banks, said, 'There is the drift—cross!' I drove my horses into the river, when they immediately fell; lifted them, and drove on about five or six yards, when we fell into a hole. Got them out with difficulty, and advanced another yard, when we got stuck against a rock. The current was now so strong and drift deep, my cart was turned over on to its side, and water rushed over the seat. I called out to the commandant on the bank that we were stuck and to send assistance, or might we return, to which he replied, 'If you do, we will shoot you.' I then tried, but failed, to get the horses to move. Turning to Captain Elliot, who was sitting beside me, I said, 'We must swim for it'; and asked could he swim, to which he replied, 'Yes.' I said, 'If you can't, I will stick to you, for I can.' While we were holding this conversation, a volley from the bank, ten or fifteen yards off, was fired into us, the bullets passing through the tent of my cart, one of which must have mortally wounded poor Elliot. who only uttered the single word 'Oh!' and fell headlong into the river from the carriage. I immediately sprang in after him, but was swept down the river under the current some yards. On gaining the surface of the water, I could see nothing of Elliott, but I called out his name twice, but received no reply. Immediately another volley was fired at me, making the water hiss around where the bullets struck. I now struck out for the opposite bank, which I reached with difficulty in about ten minutes; but as it was deep, black mud, on landing I stuck fast, but eventually reached the top of the bank, and ran for about two hundred yards under a heavy fire the whole while.

The Boers then invaded Natal and took up a position on Laing's Nek, four miles inside the Natal border, from which, on January 28, Sir George Colley endeavoured to oust them with a mounted force of 70 men and some 500 men of the 58th Regiment. The position is one difficult enough to climb unencumbered by military accoutrements, but the disposition of the little mounted force covered the approach. By some unexplained mistake, however, half of the mounted infantry charged and carried the Boer position before the 58th had climbed the hill, but were too weak to hold it and retired, leaving the 58th uncovered in a terrible ascent. But few of the exhausted men reached the top of the hill, and those, led by Colonel Deane, only to be shot down. Of the mounted men, 17 were killed and wounded; of the 58th, 73 were killed and 100 wounded. The result was absolute defeat of the British forces. The number of Boers engaged is not known, but the force behind the Nek consisted of several thousands, and no doubt a fair proportion engaged in the fight.

On February 8 General Colley made a demonstration in force on the Ingogo Heights. The force consisted of under 300 men, with 4 guns and 38 mounted men. On the Boer side there were about 1,000 men, and the fight lasted from morning until after dark. It was a drawn fight, in which both parties left the battlefield at night. There cannot be any doubt, however, that the balance of advantage was with the Boers, since the loss on the British side was very severe: 76 men were killed and 69 wounded.

On February 27 came Majuba, when Sir George Colley designed to retrieve his fortunes and strike an effective blow without the aid of his second-in-command, Sir Evelyn Wood, whom he had sent to hurry up reinforcements. The scaling of the mountain at night was a fine performance. The neglect to take the rocket apparatus or mountain guns, or to fortify the position in any way, or even to acquaint the members of the force with the nature of the position which they had taken up in the dark, and the failure to use the bayonet, were the principal causes of disaster. The Boers attacked in force a position which should have been absolutely impregnable, held as it was by a force of 554 soldiers. The Boer force is not known, but probably consisted of

upwards of 1,000 men, since Christaan Joubert after the fight offered to take a portion of the men, numbering, as he said, some 500, to attack a small British laager on one of the spurs of the mountain. The splendid feat of taking the hill-top, however, was accomplished by a small storming party of less than 200 men, the balance of the Boer forces covering the approach of their comrades by an accurate and incessant long-range fire. The result, as is known, was terrible disaster: 92 killed and 134 wounded, and a number taken prisoners, represented the British loss, whilst the Boers lost 1 killed and 5 wounded. No attempt had been made to occupy positions below the crown of the hill which commanded the approaches, and the Boers were able to creep up under good cover from place to place by the exercise of their admirable tactics. It is impossible to detract from the performance of the Boers, and a glance at the position leaves one more astonished than ever that a successful attack could ever have been made upon it. The Boers displayed on this day the finest fighting qualities. The generalship of their fighting Commandant, Nikolas Smit, was of the highest order. The cleverness of the attack, and the personal bravery and audacity of the storming party are beyond praise.

By the time Sir Evelyn Wood had ranged his forces for an effective and extended attack on the Boers, and by the time Sir Frederick Roberts with the command of about 10,000 men had reached South Africa, the administration of Mr. Gladstone had awakened to the fact that the war was an unjust—not to say costly—one. An armistice was arranged and peace made without another blow.

The terms of the settlement proposed by the Liberal Government fitly illustrate the generosity of their motives. They proposed doing 'simple justice' to the Boers, but at the same time retaining the districts of Lydenburg, Middelburg, Wakkerstroom, and Utrecht, not to mention handing back Zoutpansberg to the original native occupants. So anxious were the Boer leaders to effect a peaceful settlement, so fearful were they of the actions of their followers, that when they arranged the long armistice they did not announce to their party the intentions of the British Government regarding the above districts. General Joubert did not communicate

to his army the terms of peace, but simply stated that a Royal Commission was to settle everything. A month later, when some inkling of the terms reached the Boers, a solemn protest and warning was issued, and when the Royal Commission actually sat, the British representatives were informed that any such curtailment of the territories would be followed by a resumption of hostilities. Needless to say the proposals were abandoned and the Boers got their way. So ended the war.

Ingogo has been called a drawn battle. Bronkhorst Spruit was—such as it was. At Laing's Nek and Majuba the Boers beat us, as Mr. Carter fairly puts it, 'when they were on the top of the hill and we were at the bottom, and when we were on the top of the hill and they were at the bottom.' The narrative of these events is about as humiliating a one as an Englishman can read. Here and there it is redeemed by the heroic conduct of individuals in the midst of general disaster. In the smaller affairs, such as the particularly gallant defences of Standerton, Potchefstroom, and Rustenberg, where little garrisons held their own with conspicuous ability and courage, there is something to cheer the disheartened reader. The defence of Potchefstroom by Colonel Winslow should be read in full for several reasons. The siege of Standerton witnessed several acts of valour, but, above all, that of Hall the volunteer, who single-handed deliberately engaged a force of over 300 Boers, drawing their fire on himself in order to warn his comrades of the danger of being cut off and to give them a chance of escape—a noble act in which the gallant fellow achieved his object but lost his life. It was in Rustenberg where Captain Auchinleck, with about seventy men armed only with rifles, held his laager against hundreds of the enemy, fighting day and night for weeks; and eventually drove off the Boers who were trenching towards his position by charging at night with from nine to fourteen of his men and clearing the enemy out of the trenches with the bayonet. This performance he repeated three times, himself badly wounded on each occasion. The impression created on the enemy by these tactics was such that they overcame their desire to get at close quarters with him and left him severely alone.

It is not necessary to refer in great detail to the settlement. In effect it was that the Boers gained nearly all that they required, but not until the haggling and threatening had robbed concessions of all appearance of grace and justice. The natives were referred to in the conventional spirit. The unfortunate loyalists were left to take care of themselves. The men who had entered the Transvaal, and invested their capital and expended their energies there upon the most positive and sacred assurances of the British Government that the Queen's authority would never be withdrawn,—assurances given in public by the Conservative Government and confirmed by Mr. Gladstone's Government, assurances published by Sir Bartle Frere and Sir Garnet Wolseley, who said that 'as long as the sun would shine the British flag would fly over the Transvaal,'—were heartlessly abandoned, their protests were unheeded, the compensation allotted to them, namely, £1,400,000, was amended by the elimination of the million, their representations to Mr. Gladstone's Government were finally left unanswered—unless it be that the sneering reference made by that right honourable gentleman in the House of Commons to 'interested contractors and landjobbers' may be considered an adequate answer to a protest as moderate, as able, as truthful, and as necessary as Mr. Gladstone's remark was the reverse. In very truth, the position in which the British Premier had placed himself through his intemperate speeches in the Midlothian campaign, and his subsequent 'explaining away,' was an extremely unpleasant one. In Opposition Mr. Gladstone had denounced the annexation and demanded a repeal. On accession to power he adopted the policy of his predecessors, and affirmed that the annexation could never be revoked. On June 8, 1880, he had written to this effect to Messrs. Kruger and Joubert, the Transvaal deputation. Later on, in answer to an appeal that he should allay the apprehensions of the loyalists, who feared the results of the Boer agitation, he referred them to this very letter as a final expression of opinion, and authorized the publication of this message. When, however, peace had been concluded, and the loyalists, amazed and heartbroken at their threatened desertion, reminded him of his pledges

and implored him to respect them, he answered them in a letter which is surely without parallel in the record of self-respecting Governments. To people who had staked their lives and their all upon pledges given in turn by both Conservative and Liberal administrations, desertion was wholly indefensible, and it must be said that Mr. Gladstone's method of dealing with the loyalists' addresses by dexterous 'explaining away' of his pledges, only added to the bitterness. But what answer could be made to a protest which reminded the right honourable gentleman of the following deliberate and official expression of his Government's policy?—

In your letter to me (wrote Mr. White for the loyalists) you claim that the language of your letter does not justify the description given. With the greatest respect I submit that it does, and I will quote the words on which I and also my colleagues base the opinion that it does unequivocally pledge the Government to the non-relinquishment of the Transvaal.

The actual words of your letter are:

'Looking at all the circumstances, both of the Transvaal and the rest of South Africa, and to the necessity of preventing a renewal of the disorders, which might lead to disastrous consequences, not only to the Transvaal, but to the whole of South Africa, *our judgment is that the Queen cannot be advised to relinquish the Transvaal;* but, consistently with the maintenance of that sovereignty, we desire that the white inhabitants of the Transvaal should, without prejudice to the rest of the population, enjoy the fullest liberty to manage their local affairs.'

But your letter of the 8th of June not only contained this final and absolute announcement of the policy of England, but it gave the reasons for arriving at it in words which so aptly express the case of the loyalists that I quote them *in extenso*. They are as follows:

'It is undoubtedly matter for much regret that it should, since the annexation, have appeared that so large a number of the population of Dutch origin in the Transvaal are opposed to the annexation of that territory, *but it is impossible now to consider that question as if it were presented for the first time.* We have to do with a state of things which has existed for a considerable period, *during which obligations have been contracted*, especially, though not exclusively, towards the native population, *which cannot be set aside.*'

In your speech in the House of Commons, on the debate on Mr. Peter Rylands' motion condemning the annexation of the country and the enforcement of British supremacy in it, which was defeated by a majority of ninety-six, on the 21st of January in the current year, you used words of similar import. You are reported in the *Times* of the 22nd of January as saying:

'To disapprove the annexation of a country is one thing; to abandon that annexation is another. Whatever we do, we must not blind ourselves to the legitimate consequences of facts. By the annexation

of the Transvaal we contracted new obligations. . . . I must look at the obligations entailed by the annexation, and if in my opinion, and in the opinion of many on this side of the House, wrong was done by the annexation itself, *that would not warrant us in doing fresh, distinct, and separate wrong by a disregard of the obligation which that annexation entailed.* These obligations have been referred to in this debate, and have been mentioned in the compass of a single sentence. First, there was the obligation entailed towards the English and other settlers in the Transvaal, perhaps including a minority, though a very small minority, of the Dutch Boers themselves; secondly, there was the obligation to the native races; and thirdly, there was the obligation we entailed upon ourselves in respect of the responsibility which was already incumbent upon us, and which we, by the annexation, largely extended, for the future peace and tranquillity of South Africa.'

Nor was this all. The loyalists proceeded to remind him that Lord Kimberley, his Secretary of State for the Colonies, had telegraphed in May, 1880, 'Under no circumstances can the Queen's authority in the Transvaal be relinquished,' and had confirmed the telegram in a despatch following; and that his lordship had also stated in the House of Lords on May 24 that '. . . after a careful consideration of the position, we have come to the conclusion that we could not relinquish the Transvaal. Nothing could be more unfortunate than uncertainty in respect to such a matter.' (Hansard, cclii., p. 208.)

The effects of the settlement, and the exposures in connection with it, and the attitude of the Imperial Government were most deplorable. No credit was given by the Boers to a Government which became magnanimous only after it was defeated. No feeling but contempt, disgust, and even hatred, could be entertained by the loyalists for the Government which had so shamelessly deserted them. The settlement has left its indelible mark upon the sentiment of South Africa. The war, it will generally be admitted, was a most unfortunate occurrence. Only one thing could have been more unfortunate, and that was such a settlement as actually was effected—a settlement which satisfied no one, which outraged all, which threw South Africa into a state of boiling discontent. In some quarters the defeats of Majuba and Laing's Nek rankled deeply; yet they were fair fights, and Time can be trusted to allay the feelings of those who are worsted in a fair fight; but there were other matters which

roused a spirit in the English-speaking people of South Africa that had never been known before.

The former records of the Boers, favourable and unfavourable, are consistent with the records established in the War of Independence. None dare belittle the spirit which moved them to take up arms against the greatest Power in the world. Their ignorance may have been great, but not so great as to blind them to the fact that they were undertaking an unequal contest. It is not possible to say, with due regard to their records, that they are not a courageous people. Individual bravery, of the kind which takes no heed of personal risk, reckless heroic dash, they have not, nor do they pretend to have. Their system is entirely otherwise. They do not seek fighting for fighting's sake. They do not like exposing themselves to risk and danger. Their caution and their care for personal safety are such that, judged by the standard of other people's conduct in similar positions, they are frequently considered to be wanting in personal courage. It seems a hard thing to say of a people who have produced men like the first Bezuidenhout, who fought and died single-handed against the British troops; men like Piet Retief, as gallant a man as ever walked; men like Piet Uys, an example to all men for all time, and only one of many generations in one family of equally gallant Dutchmen; but it would truly seem that such examples do not occur with such frequency among the Boers as among nations with whom they have been compared. Where they have been able to choose their own positions, or where they have been stimulated by previous successes, they have done all that could possibly be asked of them; but their particular military system does not conduce to success under circumstances where men are suddenly and unexpectedly called upon to exhibit the virtues of discipline, to make what to the individual may appear a useless sacrifice of life, or, in cold blood and in the face of previous defeat, to attempt to retrieve a lost position.

The Boer military power has been called the biggest unpricked bubble in the world. Whether this be so or not —whether the early conflicts between the British troops and the Boers in the Cape Colony and Natal justify the view

that the Boers cannot take a beating and come up again—is a matter for those to decide who will give their impartial attention to the records.

Whilst conspicuous personal daring among the Boers may not be proverbial, it must be remembered to their everlasting credit that they, as did the Southerners in the American Civil War, robbed the cradle and the grave to defend their country. Boys who were mere children bore rifles very nearly as long as themselves; old men, who had surely earned by a life of hardship and exposure an immunity from such calls, jumped on their horses and rode without hesitation and without provision to fight for their independence.

There were, however, unfortunately, matters connected with the war which gave birth to a bitter and aching desire for revenge. Bronkhorst Spruit and the murder of Captain Elliot were among the earliest. Another was the shooting of Dr. Barbour (who was killed instantly) and Mr. Walter Dyas (wounded) by their escort under circumstances similar to those of the Elliott murder, with the exception that in this case the prisoners had been released on foot and in daylight, and were then shot down.

But there were others too. There was the murder of Green in Lydenburg, who was called to the Boer camp, where he went unarmed and in good faith, only to have his brains blown out by the Boer with whom he was conversing; there was the public flogging of another Englishman by the notorious Abel Erasmus because he was an Englishman and had British sympathies; and there were the various white flag incidents. At Ingogo the Boers raised the white flag, and when in response to this General Colley ordered the hoisting of a similar flag to indicate that it was seen, a perfect hail of lead was poured on the position where the General stood; and it was obvious that the hoisting of the flag was merely a ruse to ascertain where the General and his staff were. There was the ambulance affair on Majuba, when the Boers came upon an unarmed party bearing the wounded with the red cross flying over them, and after asking who they were and getting a reply, fired a volley into the group, killing Surgeon-Major Cornish.

There was the siege of Potchefstroom, during which the Boer force under Commandant Cronjé were guilty of actions contrary to the usages of civilized warfare. They are matters of history, and can easily be verified. Reference is made to them elsewhere in this volume in connection with Commandant Cronjé's action on another occasion.

And so the war left the country, as wars will, divided into two parties, with feelings towards each other that are deplorable enough in themselves, and not easily allayed. The curtain was rung down, and the scene was lost to the view of the world, but the play went on all the same behind the curtain. And this is what the new Government said to the world on August 8, 1881, when they took over the administration of the country:

To all inhabitants, without exception, we promise the protection of the law, and all the privileges attendant thereon.

To inhabitants who are not burghers, and do not wish to become such, we notify that they have the right to report themselves to the Resident as British subjects, according to Article 28 of the now settled Convention. But be it known to all, that all ordinary rights of property, trade, and usages will still be accorded to everyone, burgher or not.

We repeat solemnly that our motto is, 'Unity and reconciliation.'

CHAPTER II

AFTER THE WAR

IN 1882 Sir Bartle Frere wrote, 'I have never been able to discover any principle in our policy in South Africa except that of giving way whenever any difficulty or opposition is encountered.' The remark is still as true as when it was penned, and South Africa—the 'Grave of Reputations,'[1] as it has long been called—must by this time be regarded with doubtful emotions by successive Colonial Secretaries. What is it about South Africa, one asks, that has upset so many men of capacity and experience? Who can say? Often—most often—it is the neglect to thoroughly study and know what are called the 'local conditions,' and to pay due heed to local experience. Sometimes it is the subordination of State policy to party considerations which has ruined the Proconsul: witness Sir Bartle Frere, whose decisive action, firm character, and wise and statesmanlike policy are now—now that he is dead—recognised universally, as they have always been in South Africa. Perhaps there is something in Africa itself which makes it a huge exception to the rules of other lands; the something which is suggested in the 'rivers without water, flowers without scent, and birds without song'; a contrariness which puts the alluvial gold on the top of mountain ranges and leaves the valleys barren; which mocked the experience of the world, and showed the waterworn gravel deposit to be the biggest, richest, deepest, and most reliable

[1] Among the first notes which poor Colley—brave, wise, generous, and unlucky—wrote after taking office, was one containing these words: 'Whether I . . . shall find that South Africa is to me, as it is said to be in general, "the grave of all good reputations," remains to be seen.'

gold reef ever known ; which placed diamonds in such conditions that the greatest living authority, who had undertaken a huge journey to report on the occurrence, could only say, in the face of a successful wash-up, 'Well, there *may* be diamonds here, but all I can say is they've no right to be'; the something which many, many centuries ago prompted the old Roman to write, 'Ex Africâ semper aliquid novi affert,' and which is in the mind of the South African to-day when he says, 'The impossible is always happening in Africa.'

There is this to be said for the Gladstone Ministry in 1881 : that, having decided on a policy of scuttle and abandonment, they did it thoroughly, as though they enjoyed it. A feeble vote-catching provision, with no security attached, was inserted in the Pretoria Convention relative to the treatment of natives, but no thought or care was given to the unfortunate British subject who happened to be a white man, and to have fought for his Queen and country.[1] The abandonment was complete, without scruple, without shame. It has been written that 'the care and forethought which would be lavished on a favourite horse or dog on changing masters were denied to British subjects by the British Government.' The intensity and bitterness of the resentment, the wrath and hatred—so much deeper because so impotent—at the betrayal and desertion have left their traces on South African feeling; and the opinion of the might and honour of England, as it may be gleaned in many parts of the Colonies as well as everywhere in the Republics, would be an unpleasant revelation to those who live in undisturbed portions of the Empire, comfortable in the belief that to be a British subject carries the old-time magic of 'Civis Romanus sum.'

The Transvaal State, as it was now to be called, was re-established, having had its trade restored, its enemies crushed—for Secocoeni and Cetewayo were both defeated and broken—and its debts paid or consolidated in the form of a debt to England, repayable when possible. For some time not even the interest on this debt was paid.

Numbers of British subjects left the country in disgust and despair. Ruined in pocket and broken in spirit, they took

[1] See Appendix A for the full text of the Pretoria Convention.

what little they could realize of their once considerable possessions, and left the country where they could no longer live and enjoy the rights of free men. For some years the life of a Britisher among the Boers was far from happy. It is not surprising—indeed, not unnatural—that people unsoftened by education and the conditions of civilization, moved by fierce race prejudice, and intoxicated by unbroken and unexpected success, should in many cases make the vanquished feel the conqueror's heel. The position of men of British name or sympathies in the country districts was very serious, and the injustice done to those who had settled since the annexation, believing that they were to live under the laws and protection of their own Government was grave indeed.

The Government of the country was vested in a Triumvirate with Mr. Stephanus Johannes Paulus Kruger as Vice-President during the period immediately following the war; but in 1882 the old form was restored and Mr. Kruger was elected President, an office which he is now holding for the third successive term.[1]

Prior to the war the population of the country was reckoned by both Dutch and English authorities to be about 40,000 souls, the great majority of whom were Dutch. The memorial addressed to Lord Carnarvon, dated January 7, 1878, praying for repeal of the annexation, was 'signed by 6,591 qualified electors out of a possible 8,000,' as is explained in the letter of the Transvaal delegates to Sir M. Hicks-Beach dated July 10, 1878. The fact, already mentioned, that 3,000 electors had petitioned for the annexation only means that some of them changed their minds under pressure or conviction, and helped to swell the number of those who later on petitioned for repeal. The signatories to the above memorial would include practically all the Dutch electors in the country, and the remaining 1,400 or so would probably be the non-Boer party who preferred British rule, and could not be coerced into signing memorials against it. These figures are useful as a check upon those now put forward by the Transvaal Government to combat the assertion that the Uitlanders outnumber the Boers. Recognizing the fact that the Boers

[1] In February, 1898, he was elected for the fourth time.

are a singularly domestic and prolific people, one may allow that they numbered 35,000 out of the total population, an estimate that will be seen to be extremely liberal. At the time that the above figures were quoted by the Transvaal delegates every Boer youth over the age of twenty-one was a qualified voter, so that it would seem that the qualified Boer voter had an *average* of one wife and 4·3 children, a fair enough allowance in all conscience. These figures should be borne in mind, for the present Boer population consists of what remains of these 35,000 souls and their natural increase during eighteen years. There are other Dutch immigrants from the Cape Colony and Free State: these are aliens, who have the invaluable qualification of hating England and her sons and her ways and her works; but, as will be made clear when the Franchise Law is explained, the present Boer electorate consists—or, without fraud or favouritism, *should* consist—of the 'possible 8,000' and their sons.

Many a champion of liberty has lived to earn the stigma of tyrant, and the Boers who in 1835 had trekked for liberty and freedom from oppressive rule, and who had fought for it in 1880, began now themselves to put in force the principles which they had so stoutly resisted. In the Volksraad Session of 1882 the first of the measures of exclusion was passed. The Franchise, which until then—in accordance with Law No. 1 of 1876—had been granted to anyone holding property or residing in the State, or, failing the property qualification, to anyone who had qualified by one year's residence, was now altered, and Law No. 7 of 1882 was passed which provided that aliens could become naturalized and enfranchised after five years' residence, thus attaining the status of the oldest Voortrekker. The feeling was now very strong against the Annexation Party, as they had been called, that is to say, the men who had had the courage of their convictions, and had openly advocated annexation; and as usual the bitterest persecutors and vilifiers were found in the ranks of those who, having secretly supported them before, had become suspect, and had now need to prove their loyalty by their zeal. The intention was avowed to keep the party pure and undiluted, as it was maintained by many of the Boers that former proselytes had used their newly-acquired privileges to

vote away the independence of the country. The view was not unnatural under the circumstances, and this measure, had it not been a violation of pledges, might have found defenders among impartial persons; but unfortunately it proved to be not so much a stringently defensive measure which time and circumstances might induce them to modify, as the first step in a policy of absolute and perpetual exclusion. It was the first deliberate violation of the spirit of the settlement, and, although there is no clause in the Pretoria Convention which it can be said to contravene, it was, as Mr. Chamberlain has since styled it, 'a violation of the *status quo* as it was present to the minds of her Majesty's Ministers at the time the Convention was negotiated.' But the Gladstone Ministry, which had paid so heavily to get rid of the Transvaal question, was certainly not going to re-open it for the sake of holding the Boers to the spirit of the settlement.

Another precaution was taken to keep all the power in the hands of the Boers. The various towns which had formerly been entitled to representation in Parliament were deprived of this right, and have remained disfranchised ever since. Mr. Kruger feared that the enlightened thought of the towns would hinder the growth of his 'national policy.'

It was not too late even at this time to have bloodlessly settled the Transvaal question for ever by a fair but thoroughly firm attitude towards the restored Republic. No doubt British Ministers, conscious of an act of supreme self-restraint and magnanimity, believed that some reciprocal justice would be evoked. At any rate, it is possible that this was the reason which guided them, and not continued callous indifference to the fate of British subjects and the future of South Africa. In such case, however, they must have forgotten 'the fault of the Dutch'—which Andrew Marvell's couplet has recorded—of 'giving too little and asking too much.' The Transvaal Boers are very practical people, and no matter what they may receive or how they get it, whether by way of diplomacy or barter or the accident of good luck or deed of gift, they never neglect to press and scheme for more. It is an unpleasant feature in the Boer character, prominent alike in personal and general relations, begotten, mayhap, of hard life, constant struggle, and lack of education and

its softening and elevating influence. It is a feature which is common to all uneducated peoples who have suffered great hardships, and it will no doubt disappear in time; but it is one which has to be reckoned with at the present day, and one which, when recognized at its true value, sustains the contention that the Boers, in dealing with those whom they regard as not of them, will recognise no right and do no justice unless compelled to do so. The considerations of a narrow and selfish policy are stronger than the sense of right and wrong.

British Ministers and the British people when glowing with a mildly enthusiastic satisfaction at their tolerant and even generous attitude towards a weaker opponent may imagine that they have sown good seed which in time will bear ample fruit; but it is not so. Nothing but firmness and strict justice will avert a bloody day of reckoning. Nothing but prompt and effective veto on every attempt to break or stretch the spirit of past undertakings will bring it home to the Transvaal Government that all the give cannot be on the one side and all the take on the other; that they cannot trade for ever on the embarrassment of a big Power in dealing with a little one; and that they must comport themselves with due regard to their responsibilities.

Almost the first use made by the Transvaal Government of their recovered power was one which has wrought much mischief to the State. The Triumvirate who ruled the country in 1882 granted numbers of concessions, ostensibly for the purpose of opening up industries or developing mining areas. The real reasons are generally considered to have been personal, and the result was the crushing of budding activities, and the severe discouragement of those who were willing to expend capital and energies in legitimate work. Favouritism pure and simple dictated these grants. It is hardly too much to say that the system and spirit then introduced rule to this day, for although the Volksraad has taken definite resolution condemning the principle of monopolies and contracts conferring preferential rights of any sort, the spirit of this resolution is violated whenever the President and Executive deem it fit to do so—witness, for instance, the monopoly granted in December, 1895, for the free

importation of produce, which is disguised as a Government agency with a 'commission' to the agent; but it is really a monopoly and nothing else!

The Boers were not satisfied with the Convention of 1881. They desired the removal of the Suzerainty, the cancellation of the clauses referring to natives, and the restoration of the title of the South African Republic in lieu of that of the Transvaal State. They also desired (but did not expect to obtain) complete freedom in regard to their external relations, and they lost no time in trying how far they would be allowed to go in the direction of stretching the spirit of the Convention. Nothing in that ineffectual and miserable document is clearer than the definition of certain boundaries, and the provision that no extension shall be allowed. This hemming of them in—or shutting them up in a kraal, as President Kruger has expressively put it—was intensely repugnant to them. It cut into one of the most deeply-rooted habits of the Boer. His method of trek and expansion has been, to begin by making small hunting excursions into adjacent native territories, to follow up with grazing his cattle there until he created in his own mind a right by prescription, and then to establish it either by force or else by written agreement, too often imperfectly translated. This was oftentimes varied or supplemented by helping the weaker of two rival chiefs, and so demolishing the power of a tribe. The expulsion of the native followed as a natural result.

In the Transvaal itself there was, and still is, an immense quantity of unoccupied land, and the Boers were quite unable to properly control, utilize, and administer their own immense territory, but 'land hunger' is theirs as a birth curse. The individual cannot bear to see the smoke of his neighbour's chimney; he will not cultivate 50 acres, but wants 50,000; the 'nation' wants Africa—no less. They coveted Swaziland, Zululand, Bechuanaland, Matabeleland, Mashonaland, and Tongaland, and set to work by devious methods to establish claims to these countries.

In Bechuanaland they took sides; that is to say, parties of freebooters from the Transvaal took up the cause of certain native chiefs against certain others. The London Conven-

tion in 1884 disposed of this quarrel by fixing the south-western boundaries of the Republic, and placing two of the disputing chiefs under the Transvaal, and the other two under British protection. Notwithstanding this, however, the new Convention was no sooner signed than the scheming was resumed, and before a year had passed a party of Transvaal Boers, several of them now holding high official positions under the Republic, raided the territory of the chiefs in the British Protectorate, and even attacked the chief town Mafeking. This was followed by a proclamation by President Kruger placing the territory under the protection of the Republic. Mr. Rhodes, who had already made himself conspicuous by his advocacy of holding the highway to the interior open, was instrumental in inducing the Imperial Government to make a determined stand against this. An ultimatum moved the Transvaal Government to withdraw the proclamation and forced the Boers to leave the country—only, however, when and because the demand was backed by the Warren expedition at a cost of over a million and a half to the British taxpayer! This expedition was sent by Mr. Gladstone, the Boer benefactor—notwithstanding all his anxiety to prove the Transvaal settlement a good one! The action of the Transvaal, and the most brutal murder of Mr. Bethell by the individuals above referred to as holding high official positions under the Republic, gave indications of the bent of the Boer authorities which people in South Africa did not fail to take note of. Bethell had been wounded in the invasion of the territory by the Boers, and as he lay helpless the 'prominent Transvaal official' came up and, seeing a repeating rifle lying beside him, asked him to show them how it worked. He did so, and the 'prominent official' taking it up under pretext of examining it shot Bethell dead with his own weapon.

In Zululand similar tactics were resorted to by the Republic. Transvaal Boers invaded Zululand and (1884) took up the cause of Dinizulu, a son of the dead Cetewayo, and established him as king, upsetting Sir Garnet Wolseley's settlement. They then proceeded to seize the country, but the British Government intervening at this point, rescued some two-thirds for the Zulus. A glance at the map will

show that the intention of the Boers was to get to the sea, and also that the unlucky Zulus, who had been broken by the British Government—and very rightly too—because they were a menace to the Transvaal, even more than to Natal, were now deprived of the pick of their country, plundered and harried by the very people who had been at their mercy until the Imperial Government stepped in. It is very noteworthy that, with the splendid exception of the lion-hearted Piet Uys and his sons, who fought and died (father and one son) in the Zulu war side by side with the Britishers whom he was keenly opposing on the annexation question, none of the Boers came forward to help in the Secocoeni or Zulu wars, although these wars were undertaken, the one entirely, and the other mainly, on their account. But a great many were ready to raid and annex as soon as the Zulu power was broken.

Swaziland became in turn the object of the Boer Government's attentions. First, grazing concessions were obtained; and next, other concessions for the collection of Customs and Revenue dues, for telegraphs, railways, banking, surveying, and goodness only knows what. One individual applied for and obtained a concession for the balance of ungranted concessions, and another applied for a grant of the Chief Justiceship. What chance the unfortunate native had in such a condition of things can be imagined. The Transvaal bought up all the concessions necessary to make government of the country absolutely impossible, except with their co-operation. The secret service fund of the Republic provided means for making the representatives of the Swazi nation see things in a reasonable light, so that when the time came to investigate the title to concessions and to arrange for the future administration of the country the result was a foregone conclusion. The judge appointed by the Imperial Government on the Special Joint Commission to inquire into the concessions and matters in general let some light on the manner in which these concessions were acquired and granted, by pertinent questions to the concessionaires and interpreters. He asked, for instance, 'Do you swear that you interpreted this document verbatim to the king?'—'Yes.' 'Will you kindly tell to the Court what is the

Kaffir for "ad valorem duties" and "et cetera, et cetera et cetera," or how you interpreted and explained the significance of the "survey," "mint," "revenue," and "townships" concessions?'

The picture of the obese and drunken chief surrounded by fawning harpies was a shameful and disgusting one. One example is sufficient to show how the thing was done. A concession for gambling was applied for. The man who interpreted knew a smattering of 'kitchen' Kaffir, and his rendering of the 'monopoly for billiards, card playing, lotteries, and games of chance' was that he alone should be allowed to '*tchia ma-ball* (hit the balls), *hlala ma-paper* (play the papers), and *tata sonki mali* (and take all the money).' The poor drunken king nodded sleepily to the first two clauses, but to the bald proposition of taking all the money, which he *could* understand, he violently objected. The concession was, however, subsequently granted on the representations of a more tactful interpreter.

A very flagrant breach of the spirit of the London Convention, and a very daring attempt at land-grabbing, was the proposed last will and testament of the Swazi King Umbandine, which provided that the governing powers should be assigned to Mr. Kruger as executor of the King and trustee and administrator of the country. His project was defeated; but the aim of the Boer Government was ultimately achieved, nevertheless, and Swaziland has now been handed over to the control of the Republic in spite of the prayers and protestations of the Swazis themselves, who had proved in the past with very practical results to be useful, ready and loyal allies of the British Government.

While Swaziland was being entoiled the Transvaal Government were not idle elsewhere. Matabeleland was looked upon as the heritage of the Boer, because of the 'old friendship' with the Matabele,—whom they had driven out of their country, now the Transvaal; and Mashonaland was theirs because it was their ancient hunting-ground. That the Boers did not abandon their old schemes merely because they had agreed by treaty to do so is shown by a letter which was found at Lo Bengula's kraal by Mr. F. Thompson when he went up to negotiate for Mr. Rhodes. The stealthy

grovelling of the Commandant-General before a savage native chief, the unctuous phraseology, the hypocritical assurances of an undying friendship between Boer and Matabele so long as there are living one of each race, throw a lurid light upon the conduct of Boer diplomacy with native tribes, and explain much of the ineradicable fear and distrust which are felt on the native side in all dealings with the aggressive Boer. The letter reads:

MARICO,
THE SOUTH AFRICAN REPUBLIC,
March 9, 1882.

To the great ruler the Chief Lo Bengula, the son of Umzilikatse, the great King of the Matabili nation.

GREAT RULER,

When this letter reaches you, then you will know that it comes from a man who very much desires to visit you, but who, being a man of the people, cannot get loose to make such a long journey. Therefore he must now be satisfied with writing a letter to carry his regards to the son of the late King of the Matabele, our old friend Umzilikatse. When I say that I desire to see you, it is not to ask for anything, but to talk of something, and to tell Lo Bengula of the affairs and things of the world, because I know that there are many people who talk and tell about these matters, whilst there are but few who tell the truth. Now, when a man hears a thing wrong, it is worse than if he had never heard it at all. Now, I know that Lo Bengula has heard some things wrongly, and for this reason would I tell him the real truth. Now, you must have heard that the English—or as they are better known the Englishmen—took away our country, the Transvaal, or, as they say, annexed it. We then talked nicely for four years, and begged for our country. But no; when an Englishman once has your property in his hand, then is he like a monkey that has its hands full of pumpkin-seeds—if you don't beat him to death, he will never let go—and then all our nice talk for four years did not help us at all. Then the English commenced to arrest us because we were dissatisfied, and that caused the shooting and fighting. Then the English first found that it would be better to give us back our country. Now they are gone, and our country is free, and we will now once more live in friendship with Lo Bengula, as we lived in friendship with Umzilikatse, and such must be our friendship, that so long as there is one Boer and one Matabele living these two must remain friends. On this account do I wish to see Lo Bengula, and if I may live so long, and the country here become altogether settled, and *the stink which the English brought* is first blown away altogether, then I will still ride so far to reach Lo Bengula, and if he still has this letter then he will hear the words from the mouth of the man who now must speak with the pen upon paper, and who, therefore, cannot so easily tell him everything. The man is a brother's child of the three brothers that formerly—now thirty-two years ago—were at Umzilikatse's, and then made the peace with him which holds to this day. He still remembers well when the first Boers, Franz Joubert, Jann Joubert, and Pieter Joubert, came there, and when they made the

peace whereby Umzilikatse could live at peace and the Boers also, and the peace which is so strong that the vile evil-doers were never able to destroy it, and never shall be able to destroy it as long as there shall be one Boer that lives and Lo Bengula also lives.

Now I wish to send something to give Lo Bengula a present as a token of our friendship. I send for Lo Bengula with the gentleman who will bring him this letter a blanket and a handkerchief for his great wife, who is the mother of all the Matabele nation. I will one day come to see their friendship. The gentleman who brings the letter will tell you about all the work which I have to do here. Some bad people have incited Kolahing, and so he thought he would make fortifications and fight with us, but he got frightened, and saw that he would be killed, therefore I made him break down the fortifications and pack all the stones in one heap, and he had then to pay 5,000 cattle and 4,000 sheep and goats for his wickedness. Now there is another chief, Gatsizibe—he came upon our land and killed three people and plundered them—he must also pay a fine, or else we will punish him or shoot him, because we will have peace in our country. Now greetings, great Chief Lo Bengula, from the Commandant-General of the South African Republic for the Government and Administration.

P. J JOUBERT.

A big trek (the Banjailand trek) was organized in 1890 and 1891 by General Joubert and his relatives and supporters to occupy a portion of the territory already proclaimed as under British protection and the administration of the Chartered Company. The trekkers were turned back at Rhodes's Drift, stopped by the firmness and courage and tact of Dr. Jameson, who met them alone and unarmed ; and also by the proclamation of President Kruger, to whom it had been plainly intimated that the invasion would be forcibly resisted and would inevitably provoke war. The matter had gone so far that the offices of the Republic of Banjai had already been allotted. The President's proclamation instead of being regarded as the barest fulfilment of his obligations—very grudgingly done under pressure of threats—was vaunted as an act of supreme magnanimity and generosity, and was used in the bargaining for the cession of Swaziland.

In Tongaland Boer emissaries were not idle; but they failed, owing to the fact that the Tonga Queen Regent, Zambili, a really fine specimen of the savage ruler, would have nothing to do with any power but England, whose suzerainty she accepted in 1887. Being shut off here, the Boer Government made another bid for seaward extension, and, through their emissaries, obtained certain rights from two petty chiefs, Zambaan and Umbegesa, whom they

represented as independent kings; but Lord Rosebery annexed their territories in 1894, and so put a final stop to the Transvaal schemes to evade the Convention by intrigue with neighbouring native tribes.

Nothing can better illustrate the Boers' deliberate evasion of their treaty obligations than their conduct in these matters. The Pretoria Convention defined the Transvaal boundaries and acknowledged the independence of the Swazis, and yet the British Government's delay in consenting to the annexation of Swaziland by the Republic was regarded for years as an intolerable grievance, and was proclaimed as such so insistently that nearly all South Africa came at last to so regard it.

The Boers' consent to the Chartered Company's occupation of Mashonaland was looked upon as something calling for a *quid pro quo*, and the annexation of Zambaan's land is now regarded as an infamous act of piracy by England, and an infringement of the Republic's rights, which the Dutch papers denounce most vehemently. The Boer Government made it clear, not less in their purely internal policy than in these matters of extensions of territory, that they intended pursuing a line of their own.

In 1882, the property known as 'Moodies,' consisting of a number of farms bearing indications of gold, was thrown open to prospectors. The farms had been allotted to Mr. G. Piggott Moodie when he was Surveyor-General, in lieu of salary which the Republic was unable to pay. This was the beginning of the prospecting era which opened up De Kaap, Witwatersrand, and other fields; but it was a small beginning, and for some time nothing worth mentioning was discovered. The Republic was again in a bad way, and drifting backwards after its first spurt. The greatest uncertainty prevailed amongst prospectors as to their titles, for in Lydenburg, at Pilgrim's Rest, and on the Devil's Kantoor, concessions had been granted over the heads of the miners at work on their claims, and they had been turned off for the benefit of men who contributed in no way to the welfare and prosperity of the State. It has been stated in the Volksraad that not one of those concessionaires has even paid the dues and rents, or complied with the other conditions stipulated in the contracts.

Many of the miners left the country in disgust. The Lydenburg district was practically locked up for fourteen years owing to the concession policy, and has only lately been partly released from the bonds of monopoly.

In 1884 Messrs. Kruger and Smit proceeded to Europe to endeavour to raise funds, which were badly needed, and also to obtain some modifications of the Convention. The attempt to raise funds through the parties in Holland to whom the railway concession had just been granted failed, but the delegates were more fortunate in their other negotiations. They negotiated the London Convention which fixed certain hitherto undefined boundaries; and in that document no reference was made to the suzerainty of Great Britain. They also secured the consent of the British Government to the alteration of the title of the country. Instead of Transvaal State it became once more the 'South African Republic.'[1] During this visit there occurred an incident which provides the answer to Mr. Kruger's oft—*too* oft—repeated remark that 'the Uitlanders were never asked to settle in the Transvaal, and are not wanted there.' Messrs. Kruger and Smit were staying at the Albemarle Hotel, where they found themselves, after some weeks' delay, in the uncomfortable position of being unable to pay their hotel bill. In their extremity they applied to one Baron Grant, at that time a bright particular star in the Stock Exchange firmament. Baron Grant was largely interested in the gold concessions of Lydenburg, and he was willing to assist, but on terms. And the *quid pro quo* which he asked was some public assurance of goodwill, protection, and encouragement to British settlers in the Transvaal. Mr. Kruger re-

[1] For full text of London Convention, see Appendix B. (July, 1899). A very extensive correspondence has passed on the subject of the suzerainty. The Transvaal Government now construe the omission of the Preamble to the 1881 Convention as the result of an agreement to abolish the suzerainty. Mr. Chamberlain points out that the London Convention contains specific and not implied amendments of the Pretoria Convention; that the direct request for abolition of the suzerainty was refused by Lord Derby; that the preamble as the fundamental declaration must be deemed to be in force; and that if not, the same reason which is adduced against the continued existence of the suzerainty would hold good against the independence of the Transvaal, for in the preamble of the 1881 Convention alone is any mention made of either the grant or the reservation.

sponded on behalf of the Republic by publishing in the London press the cordial invitation and welcome and the promise of rights and protection to all who would come, so frequently quoted against him of late.

By this time Moodies had attracted a fair number of people, and the prospects of the country began, for the first time with some show of reason, to look brighter. No results were felt, however, and the condition of the Government officials was deplorable. Smuggling was carried on systematically; in many cases officials 'stood in' with smugglers. They were obliged either to do that or to enforce the laws properly and get what they could by seizing contraband goods. There were two objections to the latter course, however. One was that the country was large and detection difficult with men who were both daring and resourceful; and the other was that the officials were not sure of receiving their share of the spoil from a Government so hard pressed as this one was, and whose higher officials also had difficulties about payment of salaries. In many cases salaries were six months in arrear; and other cases could be quoted of officials whose house-rent alone amounted to more than their nominal remuneration. Yet they continued to live, and it was not difficult to surmise *how*. Another significant fact was that goods subject to heavy duties—such as spirits, hams, etc.—could be bought at any store at a price which was less than original cost plus carriage and duty. Smuggling was a very palpable fact, and—quoth the public and the officials—a very convenient and even necessary evil.

The principle on which the Customs officials conducted the business of their office was observed by other officials of the Republic, and in one department, at least, the abuses have had a very far-reaching and serious effect. The Field-cornets—district officials who act as petty justices, registering, and pass officers, collectors of personal taxes, captains of the burgher forces, etc., etc.—are the officers with whom each newcomer has to register. This is an important matter, because the period of residence for the purpose of naturalization and enfranchisement is reckoned from the date of registration in the Field-cornet's books. As these officials were practically

turned loose on the public to make a living the best way they could, many of them, notwithstanding that they collected the taxes imposed by law, omitted to enter the names of new arrivals in their books, thus securing themselves against having to make good these amounts in event of an inspection of the books. Many of the Field-cornets were barely able to write; they had no 'offices,' and would accept taxes and registrations at any time and in any place. The chances of correct entry were therefore remote. The result of this is very serious. The records are either 'lost' when they might prove embarrassing, or so incorrectly or imperfectly kept as to be of no use whatever; and settlers in the Transvaal from 1882 to 1890 are in most cases unable to prove their registration as the law requires, and this through no fault of their own.

In the country districts justice was not a commodity intended for the Britisher. Many cases of gross abuse, and several of actual murder occurred; and in 1885 the case of Mr. Jas. Donaldson, then residing on a farm in Lydenburg—lately one of the Reform prisoners—was mentioned in the House of Commons, and became the subject of a demand by the Imperial Government for reparation and punishment. He had been ordered by two Boers (one of whom was in the habit of boasting that he had shot an unarmed Englishman in Lydenburg since the war, and would shoot others) to abstain from collecting hut taxes on his own farm; and on refusing had been attacked by them. After beating them off single-handed, he was later on again attacked by his former assailants, reinforced by three others. They bound him with reims (thongs), kicked and beat him with sjamboks (raw-hide whips) and clubs, stoned him, and left him unconscious and so disfigured that he was thought to be dead when found some hours later. On receipt of the Imperial Government's representations, the men were arrested, tried and fined. The fines were stated to have been remitted at once by Government, but in the civil action which followed Mr. Donaldson obtained £500 damages. The incident had a distinctly beneficial effect, and nothing more was heard of the maltreatment of defenceless men simply because they were Britishers. Moreover, with the improvement in trade which

followed the gold discoveries of 1885 and 1886 at Moodies and Barberton, the relations between the two races also improved. Frequent intercourse and commercial relations begot a better knowledge of each other, and the fierce hatred of the Britisher began to disappear in the neighbourhood of the towns and the goldfields.

In 1886 the wonderful richness of the Sheba Mine in Barberton attracted a good deal of attention, and drew a large number of persons—prospectors, speculators, traders, etc.—to the Transvaal. Before the end of 1887 ten or twelve thousand must have poured into the country. The effect was magical. The revenue which had already increased by 50 per cent. in 1886, doubled itself in 1887, and then there came unto the Boer Government that which they had least expected—ample means to pursue their greater ambitions. But unmixed good comes to few, and with the blessings of plenty came the cares of Government, the problem of dealing with people whose habits, thoughts, ambitions, methods, language, and logic differed utterly from their own. Father Abraham on the London Stock Exchange would not be much more 'at sea' then the peasant farmers of the Volksraad were in dealing with the requirements of the new settlers.

Agitations for reforms commenced early in Barberton. At first it was only roads and bridges that were wanted, or the remission of certain taxes, or security of title for stands and claims. Later on a political association named the Transvaal Republican Union was formed in Barberton, having a constitution and programme much the same as those of the Transvaal National Union, formed some five years later in Johannesburg. The work of this body was looked on with much disfavour by the Government, and it was intimated to some of the prominent members that if they did not cease to concern themselves with politics they would suffer in their business relations, and might even be called upon to leave the country. Many reforms were specified as desirable, and the franchise question was raised, with the object of getting the Government to make some reasonable provision in lieu of the registration clause, which was found in most cases to be an absolute bar.

The discovery of the Witwatersrand conglomerate forma-

tion soon helped to swell the flowing tide of prosperity. In the middle of 1887 the regular output of gold commenced, and the fields have never 'looked back' since. Johannesburg—named after Mr. Johannes Rissik, the Surveyor-General of the Transvaal—was soon a far greater problem than Barberton had been. The shareholders in the mines soon found it necessary to have some organization to protect their interests and give unison to their policy, and to preserve the records and collect information for the industry. The Witwatersrand Chamber of Mines was then formed, a voluntary business association of unique interest and efficiency. The organization includes all the representative and influential men, and every company of any consequence connected with the mining industry; and it has, through its committee and officials, for eight years represented to the Volksraad the existence of abuses and grievances, the remedies that are required, and the measures which are felt to be necessary or conducive to the progress of the industry in particular, or the welfare of the State in general. The President, Executive and Volksraad, by neglect of their obvious duties, by their ignorance of ordinary public affairs, by their wilful disregard of the requirements of the Uitlanders, have given cohesion to a people about as heterogeneous as any community under the sun, and have trained them to act and to care for themselves. The refusal year after year to give a charter of incorporation to the Chamber, on the grounds that it would be creating an *imperium in imperio*, and the comments of Volksraad members on the petition, have made it clear that the Government view the Chamber with no friendly eye. The facts that in order to get a workable pass law at all the Chamber had to prepare it in every detail, together with plans for the creation and working of a Government department; and that in order to diminish the litigation under the gold law, and to make that fearful and wonderful agglomeration of erratic, experimental, crude, involved, contradictory and truly incomprehensible enactments at all understandable, the Chamber had to codify it at its own expense and on its own initiative, illustrate both the indispensable character of the organization, and the ignorance and ineptitude of the Government.

The records of the Volksraad for the last ten years may be searched in vain for any measure calculated constructively to advance the country, or to better the conditions of the workers in it, with the few—very few—exceptions of those proposed by the Chamber of Mines. The country has, in fact, run the Government, and the Government has been unable to ruin it.

Shortly after the discovery of the Rand conglomerates, it became clear that a railway would have to be built between the coalfields and the mines—some forty miles. But it was a fixed principle of the Boers that no railways (with the exception of the Delagoa Bay line, which, as the means of diverting trade from British channels, was regarded as a necessary evil) should be built, since they could compete successfully with the ox-waggon, and thus deprive the 'poor burgher' of his legitimate trade spoil; and great difficulty was experienced in getting the consent of the Raad. As a matter of fact, the permission to build it was only obtained by subterfuge; for it was explained to the worthy law-makers that it was not a railway at all—only a *steam tram*. And the Rand Steam Tram it is called to this day.

The Delagoa Railway—the darling scheme of Presidents Burgers and Kruger in turn—was taken seriously in hand as soon as it was possible to raise money on almost any terms. The concession for all railways in the State was granted on April 16, 1884, to a group of Hollander and German capitalists, and confirmed by the Volksraad on August 23 following. The President's excuse for granting and preserving this iniquitous bond on the prosperity of the State is, that when the country was poor and its credit bad, friends in Holland came forward and generously helped it, and this must not be forgotten to them. As a matter of fact, friends accepted the concession when the State was poor and its credit bad, but did nothing until the State's credit improved to such an extent as to be mortgageable. *Then* the friends granted certain favourable terms under their concession to other friends, who built the first section of the line at preposterous rates, and repaid themselves out of moneys raised on the State's credit.

A well-known South African politician, distinguished alike for his ability and integrity, who visited the Transvaal during the progress of the reformers' trial, and was anxious in the interests of all South Africa to find a solution of the differences, put the position thus to some of the leading men of the Rand: 'You can see for yourselves that this is no time to ask for the franchise; for the time being, Jameson's invasion has made such a suggestion impossible. Now, tell me in a word, Is there any one thing that you require more than anything else, which we can help you to get?' The answer was: 'The one thing which we must have—not for its own sake, but for the security it offers for obtaining and retaining other reforms—*is* the franchise. No promise of reform, no reform itself, will be worth an hour's purchase unless we have the status of voters to make our influence felt. But, if you want the chief economic grievances, they are: the Netherlands Railway Concession, the dynamite monopoly, the liquor traffic, and native labour, which, together, constitute an unwarrantable burden of indirect taxation on the industry of *over two and a half millions sterling annually*. We petitioned until we were jeered at; we agitated until we—well—came here [Pretoria Gaol]; and we know that we shall get no remedy until we have the vote to enforce it. We are not a political but a working community, and if we were honestly and capably governed the majority of us would be content to wait for the franchise for a considerable time yet in recognition of the peculiar circumstances, and of the feelings of the older inhabitants. That is the position in a nutshell.'

Netherlands Railway Company.

The Netherlands Railway Company is then a very important factor. It is unnecessary to go very fully into its history and the details of its administration. As the holder of an absolute monopoly, as the enterprise which has involved the State in its National Debt, and as the sole channel through which such money has been expended, the Company has gradually worked itself into the position of being the financial department of the State; and the functions which are elsewhere exercised by the heads of the Government belong here, in practice, entirely to this foreign corporation. Petitions

for the cancellation of this concession were presented in 1888, when the progressive element in the first Volksraad consisted of one man—Mr. Loveday, one of the loyalists in the war. The agitation begun and carried on by him was taken up by others, but without further result than that of compelling the President to show his hand and step forward as the champion of the monopoly on every occasion on which it was assailed. During the years 1893–96 the President stoutly defended the Company in the Volksraad, and by his influence and the solid vote of his ignorant Dopper Party completely blocked all legislation tending to control the Company. Indeed at the end of the Session of 1895, on receiving representations from the business communities of the Republic as to the desirability of removing this incubus from the overtaxed people, the President stated plainly that the Netherlands Railway Concession was a matter of high politics and did not concern any but the burghers of the State, and that he would receive no representations from the Uitlanders on the subject nor would he permit them to discuss it.

Very shortly after the granting of this railway concession came the appointment of Dr. Leyds as State Attorney for the Republic, he having been recommended and pushed forward by the gentlemen in Holland to whom the concession had been granted. It is stated that he was sent out as the agent of the concessionaires in order to protect and advance their interests, although at the same time in the service of the Republic. It is only necessary to add that Mr. Beelaerts van Blokland, the Consul-General for the Republic in Holland, is the agent of the concessionaires in that country, and the accord with which these two gentlemen, as railway commissioners at their respective ends, have always acted becomes intelligible. Several of the vital conditions of the concession have been freely violated, the first being that a certain section of the line (Nelspruit) should be completed within four years. It was not completed for eight. The concession really became void several times during the years prior to 1890, but always found a stalwart champion in the President, who continued to defend the concessionaires for some two years after they had failed

to get their capital subscribed. The Company was floated on June 21 1887 on the most peculiar terms, the capital of £166,666 being in 2,000 shares of 1,000 guilders, or £83 6s. 8d. each. The shares were subscribed for by the following groups:

German	...	...	819	shares,	carrying	30	votes.
Hollander	...	...	581	„	„	76	„
The Republic	...	...	600	„	„	6	„

The trust-deed, which limited the Republic to 6 out of 112 votes, although it subscribed about one-third of the capital, and gave to the smallest holders, the Hollanders, twice as many votes as all the others put together, was passed by Dr. Leyds, in his capacity of legal adviser of the Government, having previously been prepared by him in his other capacity. The sum of £124,000 appears to have been expended on construction ten months before any contract was given out for the same or any work begun, and fifteen months before any material was shipped.

The contract for the construction of the first sixty miles compels admiration, if only for its impudence. In the first place the contractors, Van Hattum and Co., were to build the line at a cost to be mutually agreed upon by them and the railway company, and they were to receive as remuneration 11 per cent. upon the amount of the specification. But should they exceed the contract price then the 11 per cent. was to be proportionately decreased by an arranged sliding scale, provided, however, that Van Hattum and Co. did not *exceed the specification by more than* 100 *per cent.*, in which latter case the Company would have the right to cancel the contract. By this provision Messrs. Van Hattum and Co. could increase the cost by 100 per cent., provided they were willing to lose the 11 per cent. profit, leaving them a net gain of 89 per cent. They did not neglect the opportunity. Whole sections of earthworks cost £23,500 per mile, which should not have cost £8,000. Close upon a thousand Hollanders were brought out from Holland to work for a few months in each year on the line and then be sent back to Holland again at the expense of the Republic. In a country which abounded in stone the Komati Bridge was

built of dressed stone which had been quarried and worked in Holland and exported some 7,000 miles by ship and rail.

These are a few instances out of many. The loss to the country through the financing was of course far greater than any manipulation of the construction could bring about. In the creating of overdrafts and the raising of loans very large sums indeed were handled. Three-quarters of a million in one case and a million in another offered opportunities which the Hollander-German gentlemen who were doing business for the country out of love for it (as was frequently urged on their behalf in the Volksraad) were quick to perceive. The 5 per cent. debentures issued to raise the latter sum were sold at £95 15s.; but the financiers deducted £5 commission from even this, so that the State has only benefited to the extent of £90 15s. This transaction was effected at a time when the State loan known as the Transvaal Fives—raised on exactly the same interest and precisely the same guarantee—was quoted at over par. What, however, was felt to be worse than any detail of finance was that this corporation of foreigners had gradually obtained complete control of the finances of the State, and through the railway system it practically dictated the relations with the other Governments in South Africa, by such measures for instance as the imposition of a charge of 8½d. per ton per mile on goods travelling over their lines coming from the Cape Colony, whilst the other lines are favoured by a charge of less than half that. The burdens placed upon the mining industry by the excessive charges imposed for political purposes were, in the case of the poorer mines, ruinous. The right which the Company had to collect the Customs dues for account of the State, to retain them as security for the payment of interest on their shares and debentures, and to impose a charge for collection quite disproportionate to the cost, was another serious grievance. It was hopeless, however, to deal with the whole question. The Government had set its face against any reform in this quarter. It was not possible to obtain even ordinary working facilities such as any business corporation unprotected by an absolute monopoly would be bound to concede of its own accord, in order to catch a measure of trade.

The Government have the right, under the agreement with

the Company, to take over the railway on certain conditions, of which the following are the most important:

(*a*) The Company shall receive one year's notice of the intention to take over.

(*b*) The Company shall receive twenty times the amount of the average of the last three years' dividends.

(*c*) The Company shall receive as a solatium for the unexpired period of the concession an amount equal to one per cent. of its nominal capital for each year up to the year of expiring (1915).

The Government can take over the Krugersdorp-Johannesburg-Boksburg Tramway against payment of the cost of construction.

If the Volksraad should not during this Session[1] decide to nationalize the railway no change can take place before 1898, so that the three years 1895 to 1897 would have to be taken as a basis and therefore the 6 per cent. for 1894, the only low dividend, would not come into the calculation. This would of course considerably increase the purchase price—*e.g.*,

1895	...	...	9 per cent.	
1896	...	...	14 „	(estimate),
1897	...	...	14 „	„
	Total	...	37 „	

That is to say an average distribution of 12·33 per cent. for the three years. The purchase price would thus be:

		12·33 × 20 = 246·66	per cent.
17 years' premium		17	„
	Total ...	263·66	„

This has been clearly explained to the Volksraad but without avail, the President's influence on the other side being too strong. During the Session of 1895 it was made clear that agitation against the Company was as futile as beating the air. When the Hollander clique found that they could no longer convince the Boers as a whole of the soundness of their business and the genuineness of their aims, and when they

[1] Written August, 1896.

failed to combat the arguments and exposures of their critics, they resorted to other tactics, and promulgated voluminous reports and statements of explanations which left the unfortunate Volksraad members absolutely stupefied where they had formerly only been confused.[1]

The following is taken from an article in the Johannesburg *Mining Journal*, dealing with the burdens imposed by the railway company upon the industry:

Railway Monopoly.

This is another carefully designed burden upon the mines and country. The issued capital and loans of the Netherlands Company now total about £7,000,000, upon which an average interest of about 5½ per cent.—guaranteed by the State—is paid, equal to £370,000 per annum. Naturally the bonds are at a high premium. The Company and its liabilities can be taken over by the State at a year's notice, and the necessary funds for this purpose can be raised at 3 per cent. An offer was recently made to the Government to consolidate this and other liabilities, but the National Bank, which is another concession, has the monopoly of all State loan business, and this circumstance effectually disposed of the proposal. At 3 per cent. a saving of £160,000 per annum would be made in this monopoly in interest alone. The value represented by the Custom dues on the Portuguese border we are not in a position to estimate, but roughly these collections and the 15 per cent. of the profits paid to the management and shareholders must, with other leakages, represent at least another £100,000 per annum, which should be saved the country. As the revenue of the corporation now exceeds £2,000,000 a year, of which only half is expended in working costs, the estimate we have taken does not err upon the side of extravagance. By its neglect of its duties towards the commercial and mining community enormous losses are involved. Thus, in the coal traffic, the rate—which is now to be somewhat reduced—has been 3d. per ton per mile. According to the returns of the Chamber of Mines, the coal production of the Transvaal for 1895 was 1,045,121 tons. This is carried an average distance of nearly thirty miles, but taking the distance at twenty-four miles the charges are 6s. per ton. At 1¼d. per ton per mile—three times as much as the Cape railways charge—a saving upon the coal rates of 3s. per ton would follow, equal to £150,000 per annum. Again, by the 'bagging' system, an additional cost of 2s. 3d. per ton is incurred—details of this item have been recently published in this paper—and if this monopoly were run upon ordinary business lines, a further saving of £110,000 would be made by carrying coal in bulk. The interest upon the amount required to construct the necessary sidings for handling the coal, and the tram-lines required to trans-

[1] To those who are not familiar with the conditions of the country, it will seem incredible that the legislative body could be 'fooled' on such a subject. The extracts from the newspaper reports of the Raad's proceedings, printed in Appendix D of this volume, will help them to understand and believe.

port it to the mines, would be a mere fraction upon this amount; and as the coal trade in the course of a short time is likely to see a 50 per cent. increase, the estimate may be allowed to stand at this figure without deduction. No data are available to fix the amount of the tax laid upon the people generally by the vexatious delays and losses following upon inefficient railway administration, but the monthly meetings of the local Chamber of Commerce throw some light upon these phases of a monopolistic management. The savings to be made in dealing with the coal traffic must not be taken as exhausting all possible reforms; the particulars given as to this traffic only indicate and suggest the wide area covered by this monopoly, which hitherto has made but halting and feeble efforts to keep pace with the requirements of the public. Dealing as it does with the imports of the whole country, which now amount in value to £10,000,000, the figures we have given must serve merely to illustrate its invertebrate methods of handling traffic, as well as its grasping greed in enforcing the rates fixed by the terms of its concession. Its forty miles of Rand steam tram-line and thirty-five miles of railway from the Vaal River, with some little assistance from the Delagoa line and Customs, brought in a revenue of about £1,250,000 in 1895. Now that the Natal line is opened the receipts will probably amount to nearly £3,000,000 per annum, all of which should swell the ordinary revenue of the country, instead of remaining in the hands of foreigners as a reservoir of wealth for indigent Hollanders to exploit. The total railway earnings of the Cape and Natal together over all their lines amounted to £3,916,566 in 1895, and the capital expenditure on railways by these colonies amounts to £26,000,000. The greater portion of these receipts come from the Rand trade, which is compelled to pay an additional £2,500,000, carrying charges to the Netherlands Company, which has £7,000,000 of capital. Thus, railway receipts in South Africa amount now to £7,000,000 per annum, of which the Rand contributes at least £5,000,000.

The revenue of the company is now considerably over £3,000,000 per annum. The management claim that their expenses amount to but 40 per cent. of revenue, and this is regarded by them as a matter for general congratulation. The Uitlanders contend that the concern is grossly *mis*managed, and that the low cost of working is a fiction. It only appears low by contrast with a revenue swollen by preposterously heavy rates and protected by a monopoly. The tariff could be reduced by one-half; that is to say, a remission of taxation to the tune of one and a half million annually could be effected without depriving the Company of a legitimate and indeed very handsome profit.

Selati Railway.

The Selati Railway Scheme! 'Conceived in iniquity, delivered in shame, died in disgrace!' might be its history, but for the fact that it is not quite dead yet. But very nearly! The concession was obtained during the Session of 1890 by a member of the First Volksraad, Mr. Barend J. Vorster, jun., who himself took part in and guided the tone of the debate which decided the granting of the concession. The Raad resolved to endeavour to obtain the favourable opinions of their constituents, but

before doing so the generous Mr. Vorster made what he was pleased to call 'presents' to the members—American spiders, Cape carts, gold watches, shares in the Company to be floated, and sums in cash—were the trifles by which Mr. Vorster won his way to favour. He placated the President by presenting to the Volksraad a portrait of his Honour, executed by the late Mr. Schroeder, South Africa's one artist. The picture cost £600. The affair was a notorious and shameless matter of bribery and the only profit which the country gained from it was a candid confession of personal principles on the part of Mr. Kruger himself, who when the exposure took place stated that he saw no harm in members receiving presents. Debentures to the amount of £500,000 were issued, bearing Government guarantee of 4 per cent. The Company received £70 for each £100 debenture. Comment is superfluous. A second issue of a million was made, nominally at £93 10s., but the Company only received £86—a commission to the brokers or agents of 8¾ per cent., at a time when the Company's previous issue of 4 per cents. were standing at £97 in the market. The costs of flotation were charged at upwards of £32,000; the expenses of one gentleman's travelling, etc., £6,000.

But these are 'trifles light as air.' This Selati Railway Company, which being guaranteed by Government is really a Government liability, arranged with a contractor to build the line at the maximum cost allowed in the concession, £9,600 per mile. Two days later this contractor sub-let the contract for £7,002 per mile. As the distance is 200 miles, the Republic was robbed by a stroke of the pen of £519,600—one of the biggest 'steals' even in the Transvaal. During the two years for which Dr. Leyds was responsible as the representative of the Republic for the management of this affair, none of these peculiar transactions were detected—at any rate none were reported or exposed; but on the accession to office of an ignorant old Boer the nest of swindles appears to have been discovered without any difficulty. And it is generally admitted that Dr. Leyds is not a fool. This exposure took place at the end of the Session of 1894, and, inured as the Uitlanders had become to jobs, this was an eye-opener even for them, and the startled community

began wondering what more might be in store for them—the unfortunate tax-payers—who had to bear the brunt of it all.

Revenue. Turning to the finances of the country, the following tables are as instructive as anything can be:

REVENUE AND EXPENDITURE OF THE SOUTH AFRICAN REPUBLIC.[1]

Fiscal period.	Revenue.	Expenditure.	Remarks.
	£	£	
Aug. 1, 1871 to July 31, 1872 ...	40,988 ...	35,714	
„ 1, 1872 „ Jan. 31, 1873 ...	43,239 ...	41,813	
Feb. 1, 1873 „ „ 31, 1874 ...	49,318 ...	45,482	Gold discovered in Lydenburg.
„ 1, 1874 „ „ 31, 1875 ...	58,553 ...	61,785	
„ 1, 1875 „ „ 31, 1876 ...	64,582 ...	69,394	
„ 1, 1876 „ „ 31, 1877 ...	62,762 ...	64,505	
„ 1, 1877 „ April 12, 1877 ...	25,752 ...	17,235	
April 12, 1877 „ Dec. 31, 1877 ...	54,127 ...	70,003	
Jan. 1, 1878 „ „ 31, 1878 ...	76,774 ...	89,063	
„ 1, 1879 „ „ 31, 1879 ...	93,409 ...	177,596	
„ 1, 1880 „ „ 31, 1880 ...	174,000 ...	144,943	
„ 1, 1881 „ Oct. 14, 1881 ...	25,326 ...	186,707	British Govt.
Aug. 8, 1881 „ Dec. 31, 1881 ...	37,908 ...	33,442	Boer Govt.
Jan. 1, 1882 „ „ 31, 1882 ...	177,407 ...	114,476	
„ 1, 1883 „ „ 31, 1883 ...	143,324 ...	184,344	
„ 1, 1884 „ Mar. 31, 1884 ...	44,557 ...	18,922	
April 1, 1884 „ „ 31, 1885 ...	161,596 ...	184,820	
„ 1, 1885 „ „ 31, 1886 ...	177,877 ...	162,709	Sheba floated.
„ 1, 1886 „ Dec. 31, 1886 ...	196,236 ...	154,636	Rand proclaimed Sept. 8, 1886.
Jan. 1, 1887 „ „ 31, 1887 ...	637,749 ...	594,834	Shares quoted Johannesburg Stock Exchange. Telegraph opened Johannesburg April 26, 1887.
„ 1, 1888 „ „ 31, 1888 ...	884,440 ...	720,492	Boom, Nov. 1888
„ 1, 1889 „ „ 31, 1889 ...	1,577,445 ...	1,201,135	to Jan. 1889. Slump, Mar. 1889
„ 1, 1890 „ „ 31, 1890 ...	1,229,061 ...	1,386,461	
„ 1, 1891 „ „ 31, 1891 ...	967,192 ...	1,350,074	Baring Crisis.
„ 1, 1892 „ „ 31, 1892 ...	1,255,830 ...	1,187,766	Railway reached Johannesburg Sept. 15.
„ 1, 1893 „ „ 31, 1893 ...	1,702,685 ...	1,302,054	
„ 1, 1894 „ „ 31, 1894 ...	2,247,728 ...	1,734,728	
„ 1, 1895 „ „ 31, 1895 ...	2,923,648 ...	1,948,249	
„ 1, 1896 „ „ 31, 1896 ...	3,912,095 ...	3,732,492	
„ 1, 1897 „ „ 31, 1897 ...	3,956,402 ...	3,898,816	
„ 1, 1898 „ „ 31, 1898 ...	3,329,958 ...	3,476,844	
„ 1, 1899 „ „ 31, 1899 ...	4,087,852 ...	3,951,234	(Budget).

The figures for the period from 1871 to the end of 1887 are taken from

[1] The above has been brought up to date for publication, July, 1899.

Jeppe's Transvaal Almanac for 1889. They represent the ordinary Revenue and Expenditure arrived at after the deduction of the items 'Special Receipts,' 'Special Deposits,' 'Deposits Withdrawn,' 'Advances Refunded,' 'Advances made' and 'Fixed Deposits' from the totals given in the Official Government Returns.

The figures for the years 1888 to 1899 are those of the published Government Returns after the deduction of—

Fixed deposits from 1888 to 1893 inclusive.

The sale and purchase of explosives from 1895 to 1898 inclusive.

The owner's share of claim licenses from 1895 to 1899 inclusive.

Delagoa Bay Customs Dues paid to the Netherlands Railway for 1898 and 1899.

Dynamite Monopoly.

The dynamite monopoly has always been a very burning question with the Uitlanders. This concession was granted shortly after the Barberton Fields were discovered, when the prospects of an industry in the manufacture of explosives were not really very great. The concessionaire himself has admitted that had he foreseen to what proportions this monopoly would eventually grow he would not have had the audacity to apply for it. This, of course, is merely a personal question. The fact which concerned the industry was that the right was granted to one man to manufacture explosives and to sell them at a price nearly 200 per cent. over that at which they could be imported. It was found upon investigation after some years of agitation that the factory at which this 'manufacture' took place was in reality merely a depôt in which the already manufactured article was manipulated to a moderate extent so as to lend colour to the President's statement that a local industry was being fostered. An investigation held by order of the Volksraad exposed the imposition. The President himself stated that he found he had been deceived and that the terms of the concession had been broken, and he urged the Raad to cancel it—which the Raad did. The triumph was considerable for the mining industry and it was the more appreciated in that it was the solitary success to which the Uitlanders could point in their long series of agitations for reform. But the triumph was not destined to be a lasting one. Within a few months the monopoly was revived in an infinitely more obnoxious form. It was now called a Government monopoly, but 'the agency' was bestowed upon a partner of the gentleman who had formerly owned the concession, the President himself vigorously defending this course and

ignoring his own judgment on the case uttered a few months previously. *Land en Volk*, the Pretoria Dutch newspaper, exposed the whole of this transaction, including the system of bribery by which the concessionaires secured their renewal, and among other things made the charge which it has continued to repeat ever since that Mr. J. M. A. Wolmarans, member of the Executive, received a commission of one shilling per case on every case sold during the continuance of the agency as a consideration for his support in the Executive Council, and that he continues to enjoy this remuneration, which is estimated now to be not far short of £10,000 a year. Mr. Wolmarans, for reasons of pride or discretion, has declined to take any notice of the charge, although frequently pressed to take action in the matter. It is calculated that the burden imposed upon the Witwatersrand Mines alone amounts to £600,000 per annum, and is, of course, daily increasing.

The Franchise Laws.

The question of the franchise, which has achieved the greatest prominence in the Uitlander agitation, is one with which few people even in the Transvaal are familiar, so many and peculiar have been the changes effected in the law. Lawyers differ as to whether certain laws revoke or merely supplement previous ones, and the President himself—to the grim amusement of the Uitlanders—frequently goes astray when he speaks on franchise. The first law on burgher and electoral rights is No. 1 of 1876, which remained in force until 1882. By it the possession of landed property or else residence for one year qualified the settler for full burgher privileges. Law No. 7 of 1882 was the first attempt of the restored Republic to deal with the question. It was then enacted that an alien could be naturalized and enfranchised after five years' residence, such residence to be proved by the Field-cornet's books of registration. It has already been explained that these records in nine cases out of ten were either improperly kept or non-existent.

In 1890 Law No. 4 was passed, creating the Second Volksraad and altering the Grondwet (or constitution) accordingly. By this law the franchise was indirectly altered without repealing those portions which may be at variance

with or repugnant to the implied alterations, and this was done by simply defining what class of electors should vote for members of the First Raad, and what class for members of the Second. Thus, 'the members of the First Volksraad shall be elected by those enfranchised burghers who have obtained the right of voting before this law comes in force, or thereafter by birth in the State, and on having attained the age of sixteen years.' Secondly, all those who became naturalized and enfranchised after this law was passed could not vote for members of the First Volksraad, but a subsequent article in the law provides that the higher rights can be obtained by those who shall have been eligible for ten years for election to the Second Volksraad; and it is then explained that, in order to be eligible for the Second Volksraad, it is necessary to be thirty years of age, to be a member of the Protestant Church, to live and have landed property in the Republic, and to have been a naturalized subject for two years. Thus the full electoral privileges were only obtainable after fourteen years' residence in the State, and the possession of the other qualifications of religion, property, etc.

Next came Law No. 13 of 1891, which was rather a codification than an alteration of previous laws. In 1892 another law was passed again explaining, but not materially altering the franchise. In 1893 Law No. 14 was passed as an amendment of previous laws: further juggling the position—further hedging in the sacred preserve. As the law was superseded in the following year it is unnecessary to go into details; but note how the measure became law! It was not published in the *Staats Courant* for three months as required by law; it was not published at all; nor was any special resolution taken affirming that it was a matter of extreme urgency and therefore to be held exempt from that rule of procedure; so that the High Court ought to be able to declare it null and void. The circumstances of its introduction could not be considered to warrant the plea of urgency. On the 29th and 30th June, 1893, memorials upon the franchise question were laid before the Raad. From Johannesburg came one memorial bearing 4,507 signatures out of the grand total of 6,665 memorialists. It was in favour of *extension* of the franchise. Another memorial from 103 Free State burghers was in

favour of *extension*, another from Barberton from 40 burghers also for *extension*. Seven memorials, bearing 444 signatures, were *against* extension. All the others concerned minor alterations in Law 13 of 1891, and did not affect the franchise. The Raad appointed a commission and on the 8th of September received its report, together with a draft law which had not before seen the light of day. After a discussion lasting part of one morning the law was passed provisionally; and to be of full force and effect until confirmed by the Raad in the following year. Thus again were the fundamental political conditions entirely altered by the passing of a law which *two hours before* had not been heard of.

Law No. 3 of 1894 purports to supersede all other laws. Therein it is laid down that all persons born in the State, or who may have established their domicile therein before May 29, 1876, are entitled to full political privileges. Those who have settled in the country since then can become naturalized after two years' residence dating from the time at which their names were registered in the Field-cornet's books. This naturalization confers the privilege of voting for local officials, Field-cornets, landdrosts,[1] and for members of the Second Raad. It is however stipulated that children born in the country shall take the status of their fathers. The naturalized subject after having been qualified to vote in this manner for two years becomes eligible for a seat in the Second Volksraad—*i.e.*, four years after the registration of his name in the Field-cornet's books. After he shall have been qualified to sit in the Second Volksraad for ten years (one of the conditions for which is that he must be thirty years of age) he may obtain the full burgher rights or political privileges, provided the majority of burghers in his Ward will signify *in writing their desire that he should obtain them* and provided the President and Executive shall see no objection to granting the same. It is thus clear that, assuming the Field-cornet's records to be honestly and properly compiled and to be available for reference (which they are not), the immigrant, after fourteen years' probation during which he shall have given up his own country and have been politically emascu-

[1] Except on the goldfields, where the appointments are made by Government.

lated, and having attained the age of at least forty years, would have the privilege of obtaining burgher rights should he be willing and able to induce the majority of a hostile clique to petition in writing on his behalf and should he then escape the veto of the President and Executive.

This was the coping-stone to Mr. Kruger's Chinese wall. The Uitlanders and their children were disfranchised for ever, and as far as legislation could make it sure the country was preserved by entail to the families of the Voortrekkers. The measure was only carried because of the strenuous support given by the President both within the Raad and at those private meetings which practically decide the important business of the country. The President threw off all disguise when it came to proposing this measure of protection. For many years he had been posing as the one progressive factor in the State and had induced the great majority of people to believe that while he personally was willing and even anxious to accede to the reasonable requests of the new population his burghers were restraining him. He had for a time succeeded in quelling all agitation by representing that demonstrations made by the tax-bearing section only embarrassed him in his endeavour to relieve them and aggravated the position by raising the suspicions and opposition of his Conservative faction.

In 1893 a petition signed by upwards of 13,000 aliens in favour of granting the extension of the franchise was received by the Raad with great laughter. But notwithstanding this discouragement, during the following year a monster petition was got up by the National Union. It was signed by 35,483 Uitlanders—men of an age and of sufficient education to qualify them for a vote in any country. The discussion which took place on this petition was so important, and the decision so pregnant with results, that copious notes of the Volksraad debate are published in this volume (Appendix). The only response made to this appeal was a firmer riveting of the bonds. It is but just to say that the President encountered determined opposition in his attempt to force his measure through the Raad. The progressive section (progressive being a purely relative term which the peculiar circumstances of the country alone can justify) made a stand,

but the law was carried nevertheless. Eye-witnesses of the scene state that two or three of the intelligent and liberal-minded farmers belonging to this progressive party, men who were earnestly desirous of doing justice to all and furthering the interests of the State, declared at the close of the debate that this meant the loss of independence. 'Now,' said one old Boer, 'our country is gone. Nothing can settle this but fighting, and there is only one end to the fight. Kruger and his Hollanders have taken our independence more surely than ever Shepstone did.' The passing of this measure was a revelation not only to the Uitlanders, who still believed that reasonable representations would prevail, but to a section of the voters of the country who had failed to realize Mr. Kruger's policy, and who honestly believed that he would carry some conciliatory measures tending to relieve the strain, and satisfy the large and ever-increasing industrial population of aliens. The measure was accepted on all hands as an ultimatum—a declaration of war to the knife. There was only one redeeming feature about it: from that time forward there could be no possibility of misunderstanding the position, and no reason to place any credence in the assurances of the President. When remonstrated with on this subject of the refusal of the franchise, and when urged by a prominent man whose sympathies are wholly with the Boer to consider the advisability of 'opening the door a little,' the President, who was in his own house, stood up, and leading his adviser by the arm, walked into the middle of the street, and pointed to the Transvaal flag flying over the Government buildings, saying, 'You see that flag. If I grant the franchise I may as well pull it down.'

It is seldom possible to indicate the precise period at which a permanent change in the feeling of a people may be considered to have been effected, but the case of the Uitlanders undoubtedly presents one instance in which this is possible. Up to the passing of this law quite a considerable section of the people believed that the President and the Volksraad would listen to reason, and would even in the near future make considerable concessions. A larger section, it is true, believed nothing of the sort, but at the same time were so far from thinking that it would be necessary to resort to

extreme measures that they were content to remain passive, and allow their more sanguine comrades to put their convictions to the test. It is not too much to say that not one person in a hundred seriously contemplated that an appeal to force would be necessary to obtain the concessions which were being asked. It might be said that within an hour the scales dropped from the eyes of the too credulous community, and the gravity of the position was instantly realized. The passage of the Bill and the birth of the revolutionary idea were synchronous.

In a brief sketch of events, such as this is, it is not possible with due regard to simplicity to deal with matters in chronological order, and for this reason such questions as the franchise, the railway, dynamite, and others have been explained separately, regardless of the fact that it has thereby become necessary to allude to incidents in the general history for which no explanation or context is supplied at the moment. This is particularly the case in the matter of the franchise, and for the purpose of throwing light on the policy of which the franchise enactments and the Netherlands Railway affairs and other matters formed a portion, some explanation should be given of President Kruger's own part and history in the period under review.

Mr. Kruger was elected President in 1882, and re-elected in 1888 without serious opposition, his one rival, General Joubert, receiving an insignificant number of votes. The period for which he was now elected proved to be one of unexpected, unexampled prosperity, furnishing him with the means of completing plans which must have seemed more or less visionary at their inception ; but it was also a period of considerable trial. The development of the Barberton Goldfields was a revelation to the peasant mind of what the power of gold is. The influx of prospectors was very considerable, the increase of the revenue of the State appeared simply colossal ; and no sooner did the Boer rulers begin to realize the significance of the Barberton boom than they were confronted with the incomparably greater discoveries of the Witwatersrand. The President did not like the Uitlanders. He made no concealment of the fact. He could never be induced to listen to the petitions of that com-

munity, nor to do anything in the way of roads and bridges in return for the very heavy contributions which the little community sent to the Republic's treasury. In those days he used to plead that the distance was great, and the time required for coach-travelling was too considerable; but the development of the Witwatersrand and the growth of Johannesburg within thirty-two miles of the capital, while disposing of the pretexts which held good in the case of Barberton, found Mr. Kruger no more inclined to make the acquaintance of the newcomers than he had been before. Notwithstanding that the law prescribes that the President shall visit all the districts and towns of the State at least once during the year, notwithstanding, also, the proximity of Johannesburg, the President has only visited the industrial capital of the Republic three times in nine years. The first occasion was in the early days—a visit now remembered only as the occasion of the banquet at which Mr. Cecil Rhodes, then one of the pioneers of the Rand, in proposing the President's health, appealed to him to make friends with the newcomers, and to extend the privileges of the older residents to 'his young burghers—like myself.' That was before Mr. Rhodes had secured his concession, and long before the Charter was thought of.

There is an unreported incident which occurred a year or two later, concerning the two strong men of Africa—it was a 'meeting' which didn't take place, and only Mr. Rhodes can say how it might have affected the future of South Africa had it come off. The latter arrived by coach in Pretoria one Saturday morning, and, desiring to see the President, asked Mr. Ewald Esselen to accompany him and interpret for him. Mr. Rhodes, knowing the peculiar ways of Mr. Kruger, waited at the gate a few yards from the house while Mr. Esselen went in to inquire if the President would see him. Mr. Kruger's reply was that he would see Mr. Rhodes on Monday. Mr. Esselen urged that as Mr. Rhodes was obliged to leave on Sunday night the reply was tantamount to a refusal. The President answered that this was 'Nachtmaal' time and the town was full of his burghers, and that he made it a rule, which he would violate for no one, to reserve the Saturdays of the Nachtmaal week for his

burghers so as to hear what they had to say if any wished to speak to him, as his burghers were more to him than anyone else in the world. 'I do no business on Sunday,' he concluded, 'so Rhodes can wait or go!' Mr. Rhodes did not wait. When he heard the answer he remarked to Mr. Esselen, 'The old devil! I meant to work with him, but I'm not going on my knees to him. I've got my concession however and he can do nothing.'

The second visit of Mr. Kruger to Johannesburg was the famous one of 1890, when the collapse of the share market and the apparent failure of many of the mines left a thriftless and gambling community wholly ruined and half starving, unable to bear the burden which the State imposed, almost wholly unappreciative of the possibilities of the Main Reef, and ignorant of what to do to create an industry and restore prosperity. This, at least, the community did understand, that they were horribly overtaxed; that those things which might be their salvation, and are necessary conditions for industrial prosperity—railways, cheap living, consistent and fair government—were not theirs. The President visited Johannesburg with the object of giving the assurance that railways would be built. He addressed a crowd of many thousands of people from a platform at the Wanderers' Club pavilion. He did not conceal his suspicions of the people, and his attempts to conceal his dislike were transparent and instantly detected, the result being that there was no harmony between his Honour and the people of Johannesburg. Later in the evening the crowd, which had hourly become larger and more and more excited and dissatisfied, surrounded the house which the President was occupying, and, without desire to effect any violence, but by simple pressure of numbers, swept in the railings and pillars which enclosed the house. Most fortunately the Chief of Police had withdrawn all the Boer members of the force, and the crowd, to their surprise, were held back by Colonial, English, and Irish 'bobbies.' This was probably the only thing that prevented a very serious culmination. As it was, some excited individuals pulled down the Transvaal flag from the Government buildings, tore it in shreds and trampled it under foot. The incident should have been ignored under the exceptionally

trying conditions of the time, but the Government determined to make much of it. Some arrests were effected, and men thrown into prison. Bail was refused; in fact, 'martyrs' were made, and the incident became indelibly stamped on the memory of both Boer and Uitlander. The President vowed that he would never visit the place again, and without doubt made use of his experience to consolidate the feeling of his burghers against the Uitlanders.

At a meeting of burghers several months after this incident, he referred to the agitation and constant complaining of the Uitlanders, and stated that they had only themselves to thank for all their troubles, and yet they would blame the Government. He then proceeded to entertain his hearers with one of the inevitable illustrations from life in the lower animal kingdom. 'They remind me,' said his Honour, 'of the old baboon that is chained up in my yard. When he burnt his tail in the Kaffir's fire the other day, he jumped round and bit me, and that just after I had been feeding him.' For five years Mr. Kruger was as good as his word. He would not even pass through Johannesburg when convenience suggested his doing so, but made circuits by road to avoid the place of detestation. It was on one of these visits to Krugersdorp, a township within the Witwatersrand Fields, twenty miles from Johannesburg, that the President, appreciating the fact that besides his beloved burghers there might, owing to the proximity of the fields, be some unregenerate aliens present, commenced his address as follows: 'Burghers, friends, thieves, murderers, newcomers, and others.' This was not ill-judged and laborious humour; it was said in absolute earnest. The references were repeated at various intervals in the address and here explained by allusions to the Scriptures and to the all-merciful God through Whom even the worst might hope to be redeemed, the inference clearly being that even the Uitlander, by the grace of God (and, no doubt, Mr. Kruger), might hope in time to approach the fitness of the burgher.

In the meantime another affair occurred, which revived much of the old feeling expressed at the time of the flag affair. War was declared against Malaboch, a native chief with a following of a few hundreds, who had, it was alleged, refused

to pay his taxes. Such wars are of frequent occurrence in the Transvaal, the reasons assigned being usually some failure to pay taxes or to submit to the discipline of the Native Commissioners. In this case British subjects were commandeered —that is, requisitioned to fight or to find in money or in kind some contribution to the carrying on of the war It was felt that the position of the Republic did not warrant at that time a resort to commandeering, a measure which no doubt was necessary in the early days when the Republic had no cash; but with a declared surplus of about £1,000,000 in the Treasury, it was deemed to be an uncivilized and wholly unnecessary measure, and one capable of the grossest abuse, to permit men of inferior intelligence and training, and of no education, such as the Field-cornets are, to use their discretion in levying contributions upon individuals. The Uitlanders were especially sensible of the injustice done to them. They had been definitely refused all voice in the affairs of the State, and they already contributed nine-tenths of the revenue. They received in return an infinitesimal portion in the shape of civil administration and public works, and they were distinctly not in the humour to be placed at the mercy of Boer officials, who would undoubtedly mulct them and spare the burghers. Protests were made; and five of the men commandeered in Pretoria, having point-blank refused to comply with the orders, were placed under arrest. The High Commissioner, Sir Henry (now Lord) Loch, was appealed to, and, acting on instructions from the Imperial Government, immediately proceeded to Pretoria. The excitement was intense. In Johannesburg a number of men were prepared to make a dash on Pretoria to effect the forcible release of the prisoners, and had any steps been taken to enforce the commandeering law within the Witwatersrand district, without doubt a collision would have taken place. The supply of arms in the town was, it is true, wholly inadequate for any resistance to the Boers, but in the excitement of the time this was not considered.

Sir Henry Loch's visit had the effect of suspending all action; but the opinion in Pretoria was that should the High Commissioner proceed to Johannesburg there would be such an outburst of feeling that no one could foresee the results,

Every effort was made to prevent him from going. Among other steps taken by the President was that of sending over for the President of the Chamber of Mines, Mr. Lionel Phillips, and requesting him, if he had the interests of the State and the welfare of the community at heart, to use his influence to dissuade the High Commissioner from visiting the town in its then excited state. Sir Henry Loch, in deference to the opinion expressed on all sides, agreed not to visit Johannesburg, but to receive deputations from Johannesburg people at his hotel in Pretoria. The High Commissioner's visit was successful. The Government agreed to absolve British subjects from the operation of the Commando Law; but the men who had been arrested and already sent under guard to the front were allowed to proceed and receive their discharge at the scene of war, and were compelled to find their own way back, receiving no consideration or compensation for the treatment to which they had been subjected. In this respect it is difficult to say that Sir Henry Loch achieved all that might have been expected from him. Possibly, to insist on more than he did would have left President Kruger no alternative but to refuse at all risks. The Volksraad being then in session, there may have been some diplomatic reasons for not pressing matters too hard.

A trivial incident occurred which once more excited bad party feeling. The High Commissioner was met at the railway-station by the President in his carriage. The enthusiastic crowd of British subjects shouldered aside the escorts provided by the Government, took the horses from the carriage, and drew it down to the hotel. In the course of the journey an individual mounted the box-seat of the carriage with the Union Jack fastened on a bamboo, and in the excitement of the moment allowed the folds of England's flag to gather round the President. His Honour rose very excitedly and struck at the flag with his walking-stick; but in blissful ignorance of what was going on behind him the standard-bearer continued to flip his Honour with the flag until the hotel was reached. There it was understood that the President would leave the carriage with the High Commissioner, and under this misapprehension those who had drawn the carriage down left their posts and joined the cheering crowd

thronging round the hotel. The President was unfortunately left in the carriage with neither horses nor men to move him, and there he was obliged to wait until a number of burghers were called up, who drew his Honour off to his own house. The affair was wholly unpremeditated and almost unobserved at the time, but it was unfortunately construed by the President as a deliberate insult, and it increased, if possible, his dislike for the Uitlander.

The difficulty of dealing with a man of Mr. Kruger's nature and training was further illustrated by another occurrence in these negotiations. During a meeting between the President and the High Commissioner in the presence of their respective staffs the former became very excited and proceeded to speak his mind very openly to his friends, referring freely to certain matters which it was undesirable to mention in the presence of the British party. Mr. Ewald Esselen, the late State Attorney, wrote in Dutch in a very large round schoolboy hand, 'Be careful! There is an interpreter present,' and handed the slip of paper to the President. The latter stopped abruptly, looked at the slip of paper, first one way and then another, and after a long pause threw it on the table saying, 'Ewald, what does this mean? What do you *write* things to me for? Why don't you *speak* so that one can understand?'

Early in 1895 efforts were made by the Dutch officials in Johannesburg and a number of private individuals to induce the President to visit the place again, when it was thought that a better reception would be accorded him than that which he had experienced on his visit in 1890. Mr. Kruger steadily refused for some time, but was eventually persuaded to open in person the first agricultural show held on the Witwatersrand. Every precaution was taken to insure him a good welcome, or, at least, to avoid any of those signs which would indicate that Johannesburg likes President Kruger no more than he likes Johannesburg; and even those who were most conscious of the President's malign influence did all in their power to make the visit a success, believing themselves to be in duty bound to make any effort, even at the sacrifice of personal sympathies and opinions, to turn the current of feeling and to work for a peaceful settlement of the difficulties

which unfortunately seemed to be thickening all round. The event passed off without a hitch. It would be too much to say that great enthusiasm prevailed; but, at least, a respectful, and at times even cordial, greeting was accorded to the President, and his address in the agricultural show grounds was particularly well received. The President returned to Pretoria that night and was asked what he thought of the affair: 'Did he not consider it an *amende* for what had happened five years before? And was he not convinced from personal observation that the people of Johannesburg were loyal, law-abiding, and respectful to the head of the Government under which they lived?' Mr. Kruger's reply in the vernacular is unprintable; but the polite equivalent is, 'Ugh! A pack of lick-spittles.' In spite of a subsequent promulgation it seems clear that there is no 'forget and forgive' in his Honour's attitude towards Johannesburg. The result of this interview became known and naturally created a very bad impression.

During his second term of office Mr. Kruger lost much of his personal popularity and influence with the Boers, and incurred bitter opposition on account of his policy of favouring members of his own clique, of granting concessions, and of cultivating the Hollander faction and allowing it to dominate the State.

Outside the Transvaal Mr. Kruger has the reputation of being free from the taint of corruption from which so many of his colleagues suffer. Yet within the Republic and among his own people one of the gravest of the charges levelled against him is that by his example and connivance he has made himself responsible for much of the plundering that goes on. There are numbers of cases in which the President's nearest relatives have been proved to be concerned in the most flagrant jobs, only to be screened by his influence; such cases, for instance, as that of the Vaal River Water Supply Concession, in which Mr. Kruger's son-in-law 'hawked' about for the highest bid the vote of the Executive Council on a matter which had not yet come before it, and, moreover, sold and duly delivered the aforesaid vote. There is the famous libel case in which Mr. Eugene Marais, the editor of the Dutch paper *Land en Volk*, successfully sustained his allegation that the

President had defrauded the State by charging heavy travelling expenses for a certain trip on which he was actually the guest of the Cape Colonial Government.[1]

The party in opposition to President Kruger, with General Joubert at its head, might, for purposes of nomenclature, be called the Progressive Party. It was really led by Mr. Ewald Esselen, a highly-educated South African, born in the Cape Colony of German parentage, educated in Edinburgh, and practising as a barrister at the Pretoria Bar. Mr. Esselen was a medical student at the time of the Boer War of Independence, and having then as he still has enthusiastic Boer sympathies, volunteered for medical service during the war. He subsequently became attached to the President's staff, and finally, on completing his legal education, was appointed Judge of the High Court in the Transvaal. Relinquishing his seat on the Bench after some years of honourable service he returned to the Bar, and became an active factor in politics. Mr. Esselen, from being the closest personal adherent of Mr. Kruger, became for a time his most formidable opponent and his most dreaded critic. A campaign was organized for the presidential election and feeling ran extremely high. To such lengths, indeed, did the Boer partisans go that for some months the possibility of a resort to arms for the settlement of their differences was freely discussed by both parties. The election took place in 1893, and at the same time elections of members for the First Volksraad were in progress. Mr. Kruger made masterly use of his position in office and of his authority over the officials appointed during his *régime*, and for the time being he converted the Civil Service of the country into an election organization. Not even the enemies of the President will deny that he is both a practised diplomat and a determined fighter. By his energy, intrigue, personal influence, and intense determination, he not only compelled his party to the highest effort, but to a large extent broke the spirit of the opposition before the real struggle began. There are two stages in the Presidential election at which a fight can under certain circumstances be made. There were certainly two stages in this election. The first is at the polls; the second is in the Volksraad, when objections have to be

[1] For Volksraad records on this subject see Appendix C.

lodged against candidates and a commission of investigation appointed, and the steps necessary for the installation of the new President have to be discussed. Mr. Kruger and his party took ample precautions. It has been stated openly and without contradiction, and is accepted in the Transvaal as an unquestionable fact, that at least three properly elected members of the Volksraad were 'jockeyed' out of their seats because they were known to have leanings towards General Joubert. A number of his supporters among the prominent officials of the Civil Service were disfranchised by the action of President Kruger because they had favoured his rival. In a country where the matters of Government have been so loosely conducted it is no doubt fairly easy to find flaws, and the President experienced no difficulty in establishing sufficient case against General Joubert's supporters to satisfy the persons appointed by him to investigate matters. On various pretexts newly-elected members were debarred from taking their seats. In one case, a strong supporter of General Joubert, who was returned by a majority of something like six to one, was kept out of his seat by the mere lodging of an objection by his opponent, the former representative of the constituency; there being a provision in the law that objections with regard to elections shall be heard by the Volksraad, and that, pending the return of a new member, the member last elected for the constituency shall continue to represent it. That the objection lodged in this case was ridiculous in the extreme had no bearing on the immediate result. The President, with admirable gravity, said, 'The law provides that all objections must be heard by the Volksraad, and that pending the decision the old member (a strenuous supporter of his Honour) shall retain his seat; and before all things we must support the law.' In the case of Mr. Esselen, who was elected member for Potchefstroom, the most flagrant abuses were proved to have been committed by the polling officer, the landdrost, dead and absent men having (according to him) rolled up freely to vote for the Krugerite candidate. Numbers of Mr. Esselen's supporters were disqualified on various pretexts, and the voting being conducted openly the moral suasion and close supervision of the official (Krugerite) party were very effective. Mr. Esselen was declared to have

lost his seat by seven votes. Scrutinies were demanded and objections lodged, but without avail. The tactics above indicated were pursued in every case. The old Volksraad having been filled with Mr. Kruger's creatures, it was, of course, his interest to support the return of old members. He was thus enabled by the law above quoted to retain an old member in the Volksraad pending the decision in a case of dispute. Mr. Esselen's defeat was a crushing blow to the Joubert party, as the want of a leader in the House itself completely demoralized the General's followers. The election for President proceeded, and General Joubert was, without any doubt whatever, elected by a very considerable majority. The tactics already described were again followed, and the result was announced as: Kruger, 7,881; Joubert, 7,009. Objections were lodged by General Joubert, but, deprived of the services of Mr. Esselen in the First Raad, and overawed by the fierce determination of his opponent, the General, finding himself in for a struggle, lost heart as usual and collapsed.

The difference between the two men is remarkable. Mr. Kruger, to his credit be it said, has not the remotest conception of the meaning of fear, and would not know how to begin to give in. Mr. Joubert, 'Slim (sly) Piet,' as he is called, possessing a considerable share of the real Africander cunning, is yet no match for his rival in diplomacy, and has none of his grit and courage. In later years this has been proved a score of times, and it is, therefore, the more interesting to recall that at the time of the annexation General Joubert refused to compromise his principles by taking office under Shepstone, whilst Mr. Kruger was not so staunch; and both before and during the war General Joubert refused to accept less than what he considered to be his rights, and steadily and frequently proclaimed his readiness to fight whilst Mr. Kruger was diplomatizing.

The Commission appointed by the Raad to investigate matters was constituted chiefly of Mr. Kruger's supporters, and the result was a foregone conclusion. They confirmed the result of the election as declared; and Mr. Kruger, with the grim humour which upon occasions distinguishes him, seeing an opportunity for inexpensive magnanimity which would

gratify himself and be approved by everyone—except the recipients—appointed the most prominent supporters of his rival in the Volksraad to be the official deputation to welcome the new President.

The President did not neglect those who had stood by him in his hour of need. Mr. Kock, landdrost and polling-officer of Potchefstroom, who had deserved well of his patron, if for nothing more than the overthrow of Mr. Esselen, was appointed member of the Executive to fill a position created purposely for him. The membership of the Executive is expressly defined by the Grondwet; but his Honour is not trammelled by such considerations. He created the position of Minute Keeper to the Executive with a handsome salary and a right to vote, and bestowed this upon his worthy henchman.

The Executive Council thus constituted consisted of six members; and here again the President contrived to kill two birds with one stone, the expression of his gratitude being by no means unprofitable. After so bitter a struggle and the resort to such extreme measures as he had been obliged to use, he anticipated no little opposition even within the inner circle, and, in any case, he as usual deemed it wise to provide against all contingencies. Dr. Leyds' vote he knew he could count on, the interests of the party which the State Secretary represents being such that they are obliged to work with Mr. Kruger. The appointment, therefore, of Mr. Kock gave his Honour one half of the Executive, and the casting-vote which pertains to his office turned the scale in his favour. Whatever, therefore, might be his troubles with the Volksraad when, by process of justice, reform, or death his adherents should be gradually removed from that Chamber, his position was, humanly speaking, assured in the Executive Council for the term of his office.

The opposition to Mr. Kock's appointment was extremely strong, culminating in the formulation of charges of theft against him by Mr. Eugene Marais, the spirited editor of the leading Dutch paper, *Land en Volk*. The charge alleged against Mr. Kock was that during his term of office as landdrost at Potchefstroom he had appropriated the telegraph-wires in order to fence his own farm. Feeling ran so high

that it became necessary to hold an investigation. A trial in the ordinary courts was not permitted, but a Special Commissioner, one not qualified by legal experience or official position to preside in such a case, was selected. By a positively ludicrous exercise of discretion in the matter of admission of evidence Mr. Kock was cleared. Mr. Marais, nothing daunted, continued his exposures, challenging that action should be taken against himself for libel, and finally producing photographs taken by competent witnesses showing the *corpus delicti in situ*. The President and Mr. Kock were not to be drawn, however, and, secure in their newly-acquired positions, they declined the offer of battle and rested on their laurels.

For some time the Opposition, now called the Progressive Party, was completely demoralized, and it was not until the following year that individuals again endeavoured to give cohesion to the party. Appeals were made by them to prominent individuals and firms associated with the mining industry for financial support in the manner in which it is contributed in England for electioneering purposes. A determined and well-sustained effort was made to educate Boer opinion to better things, and to bring such influence to bear on the electorate as would result in the return of a better class of men to the Volksraad. Newspapers conducted with this end in view were circulated throughout the country, and when the elections for the Volksraad took place, specially qualified agents were sent to ascertain the feeling of the districts, and to work up an opposition to the existing methods of Government. In every case endeavours were made to select a popular resident within a district of more enlightened views and higher character than his fellows. A good many thousand pounds were contributed and expended for this purpose. Absolutely no stipulation was made by the contributors to this fund, except that the aim should be for honest and decent government. The funds were placed unreservedly in the hands of well-known and highly respected men who were themselves burghers of the State, and the Uitlanders laid themselves out for one more effort to effect the reforms by peaceful means and pressure from within the State. The elections came off and were

regarded as a triumph for the Progressive Party, which it was alleged had secured some sixteen out of twenty-six seats in the First Volksraad, and a similar majority in the Second. Hope revived and confidence was restored among the Uitlanders, but old residents in the country who knew the Boer character warned the alien community not to expect too much, as it was a question yet to be decided how many of those who were Progressives at the time of the election would stand by their professions when brought face to face with the President and his party in battle array.

The warning was too well warranted. The Volksraad so constituted was the one which rejected with sullen incivility (to apply no harsher term) the petition of 40,000 Uitlanders for some measure of franchise reform. This Progressive Raad was also the one which passed the Bills curtailing the liberty of the press, and prohibiting the holding of public meetings and the organization of election committees, and which distinguished itself by an attempt to wrest from the High Court the decision of a matter still *sub judice*—the cyanide case.

In this case the mining industry had combined to test the validity of certain patents.[1] In spite of attempts at reasonable compromise on behalf of the mines, and these failing, in spite of every effort made to expedite the hearing of the case, the question continued to hang for some years, and in the meantime efforts were being made during two successive sessions of the Volksraad to obtain the passage of some measure which would practically secure to the holders of the patents a monopoly for the use of cyanide, or an indefeasible title to the patents, whether valid in law and properly acquired or not. These attempts to evade the issue were in themselves a disgrace to a civilized nation. Failing the obtaining of an absolute monopoly, an endeavour was made to pass a law that all patents held without dispute for a certain period should be unassailable on any grounds. There was a thin attempt at disguising the purpose of this measure, but so thin, that not even the originators could keep up the pretence, and the struggle was acknowledged to be one between the sup-

[1] The decision of the High Court was given in November, 1896, in favour of the combined companies on all points, and the patents were thus declared to be invalid!

porters of an independent court of justice and honest government on the one side, and a party of would-be concessionaires —one might say 'pirates'—on the other. The judges made no secret of their intention to tender their resignations should the measure pass; the President made no secret of his desire that it should pass. His party voted as one man in favour of it, and the coffee meetings on the Presidential stoep were unanimously for it. The Raad was exactly divided on the measure, and it was eventually lost by the casting-vote of the chairman. No absolute harm was done, but the revelation of the shameful conditions of affairs in a Raad of which so much good was expected did as much as anything could do to destroy all hope. It was a painful exhibition, and the sordid details which came to light, the unblushing attempts to levy blackmail on those who were threatened with pillage by would-be concessionaires, the shameless conduct of Raad members fighting as hirelings to impose a fresh burden on their own country, sickened the overburdened community.

The Bewaarplaatsen question also excited much discussion, but was not a subject of such close interest to the Uitlander community as others, for the reason that but few companies were directly concerned. Bewaarplaatsen is a name given to areas granted for the purpose of conservation of water, for depositing residues of crushed ore, etc.—in fact, they are grants of the surface rights of certain areas at a lower rate of license than that paid upon claim or mineral areas. This variation in the licensed areas was a wholly unnecessary complication of the gold law, the difference in cost being inconsiderable, and the difference in title affording untold possibilities of lawsuits. In some cases companies had taken out originally the more expensive claim-licenses for ground the surface only of which it was intended to use. They had been compelled, by order of the Government, to convert these claims at a later period into bewaarplaatsen. They were almost invariably situated on the south side of the Witwatersrand Main Reef, for the reason that, as the ground sloped to the south, the water was found there, the mills would naturally be erected there, and the inclination of the ground offered tempting facilities for the disposal of residues. After some years of development on the Main Reef it became clear

that the banket beds, which were known to dip towards the south, became gradually flatter at the lower levels, and, consequently, it was clear that bodies of reef would be accessible vertically from areas south of the reef which had formerly been regarded as quite worthless as gold-bearing claims. The companies which owned these bewaarplaatsen now contended that they should be allowed to convert them into claims, as, by their enterprise, they had exploited the upper levels and revealed the conditions which made the bewaarplaatsen valuable. The companies had endeavoured to convert these bewaarplaatsen into claims when they first discovered that there was a possibility of their becoming valuable, and that at a time when the areas themselves were of extremely little market value to any except the holders of the surface rights. They were unsuccessful in this through some lack of provision in the law, and year after year the subject was fought out and postponed, the disputed ground all the time becoming more and more valuable, and consequently a greater prize for the concessionaire and pirate, and a greater incentive to bribery on all hands, until it came to be regarded by the worthy members of the Volksraad as something very like a special dispensation of Providence, intended to provide annuities for Volksraad members at the expense of the unfortunate owners. After a particularly fierce struggle, the Volksraad went so far as to decide that those companies which had been obliged to convert their original claim-holdings into bewaarplaatsen should be allowed to re-convert them to claims and to retain them. Even this was only gained after the Minister of Mines had, on his own responsibility, issued the claim licenses, and so forced the Volksraad to face the issue of confirming or reversing his action!

In this matter the President again fought tooth and nail against the industry, and most strenuous efforts were made by him and his party to obtain a reversal of the decision, but without effect. This, however, only disposed of a small portion of the ground at stake. With regard to those areas which had never been held as claims, the issue lay between two parties known respectively as the companies, who were the surface-owners, and the applicants. The applicants, according to the polite fiction, were those who, having no

claim superior to that of any other individual member of the public, had happened to have priority in order of application. As a matter of fact, they were Government officials, political supporters and relatives of the President, financed and guided by two or three of the professional concession-hunters and hangers-on of Mr. Kruger's Government. Notwithstanding the existence of a law specifically prohibiting Government servants from concerning themselves in other business and speculations, the parties to this arrangement entered into notarial contracts determining the apportionment of the plunder, and undertaking to use their influence in every way with the President and his party and with members of the Volksraad to secure the granting of the rights in dispute to themselves. With them was associated the originator and holder of another infamous monopoly, and it was stated by him in the Chamber of Mines, that should they fail to obtain these rights for themselves they were prepared to co-operate with another party and force the Government to put them up for public auction, so that at any rate the mines should not have them. The object of this threat was to compel the mining companies to come to terms with him and compromise matters.

One of the notarial contracts referred to has been made public, and it contains the names of Mr. 'Koos' Smit, the Government Railway Commissioner, and one of the highest officials in the State; Landdrost Schutte, Chief Magistrate of Pretoria, and Mr. Hendrik Schoeman, one of the most prominent commandants in the Transvaal and a near relation of the President. Needless to say, all are members of the Kruger family party, and were most prominent supporters of his Honour at the time of the 1893 election. They claim that they were definitely promised a concession for the bewaarplaatsen as a reward for their services in this election. The precedent quoted on behalf of the companies in support of their claim is that of the brickmaker's license under the Gold Law. Brickmakers have privileges under their license similar to those granted with bewaarplaatsen, but in their case it is provided that should gold be discovered or be believed to exist in the areas granted under their licenses, the holder of the license shall have the right to convert his area into

mining claims on complying with the ordinary provisions of the Gold Law. The companies urged that this reveals the intention of the law, and that such a condition was omitted in connection with bewaarplaatsen simply and solely through oversight, and because at that time it never occurred to anyone to suppose that the gold-bearing deposits would shelve off and be accessible at such great distances from the outcrop as where the bewaarplaatsen are located. The companies moreover pointed out that these areas were in every case located in the middle of property held under mining licenses, that they themselves owned the surface of the property and therefore no one else could work on them, that the areas were in themselves too small and too irregular in shape to be worked independently of the surrounding ground, and that the granting of them to others could not be justified by any right on the part of applicants, and would merely be placing in their hands the means of imposing on the owners of the surfaces and the adjacent claims an excessive purchase price or the alternative of being blocked in the development of their own ground. After the Second Raad had decided in principle in favour of the surface-holders, action was taken by the First Raad, and a change of front was effected by a measure alteration, which hung the question up for another year. Everyone realized that this was secured by the influence of the President in the first place and by the pliability of Raad members in the second, on the ground that the matter was too profitable to them personally to be disposed of until it became absolutely compulsory.[1]

[1] During the session of '96 the Volksraad decided to put the bewaarplaatsen up for public auction, the proceeds of the sale to be divided equally between the Government and the original owners of the farms on which the bewaarplaatsen had been granted. The *alleged* reason for this decision is that the areas in question are immensely valuable, and the State and the owners should profit by them, whilst the companies should be afforded an opportunity of acquiring them at a fair price. The *real* reason is that the companies had refused to be blackmailed further; and the 'defence' funds not being forthcoming, the gentlemen of the back-stairs had introduced the ingenious arrangement safeguarding the original owners' rights, having previously 'arranged' with the same owners. The excuse that the areas are too valuable to be given away to the companies is as illogical and ridiculous as the excuse that the Uitlanders are too numerous to justify the granting of the franchise now. When the questions were first raised there were neither great values nor large

One of the first concessions granted by the Boer Government after the restoration of the country to them was the liquor monopoly. Under this grant a factory established within a few miles of Pretoria has the sole right to distil spirits. Time and very considerable experience are in all countries necessary for the manufacture of good liquor, and the natural conditions are not more favourable to the industry in the Transvaal than elsewhere, consequently the product is not regarded with great favour. The enterprise, however, is a very prosperous one, being dependent almost entirely upon the sale of liquor to natives. For a number of years representations were made by the Chamber of Mines on behalf of the industry, by individuals and by public petitions, with the object of controlling the liquor trade and properly enforcing the laws which already existed. The following terse summary of the evils resulting from this sale of liquor is taken from the report of the Chamber of Mines for 1895. Unfortunately the remarks apply equally well to-day:

There is, indeed, no doubt that one of the greatest difficulties with which local employers have to deal is the question of the liquor trade. In very many cases the liquor supplied to the natives is of the vilest quality, quickly inflaming those who take it to madness, and causing the

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numbers in existence. They were questions of principle and justice; and the fact that 'values' and 'numbers' have grown during the years of struggle in no way justifies the course taken, but rather shows very clearly the magnitude of the injustice done during the years of unjustifiable denial.

This decision shows with admirable clearness how the Uitlander fares at the hands of the Government. There were, in the last stage of the affair, four parties concerned: the Government, who are by law expressly debarred from selling claims (except in case of overdue licenses), and are obliged to allot them for the consideration of specified license fees only; the owners of the farms, who are similarly debarred and are compensated in other ways for the throwing open of their farms; the 'applicants,' who have been described elsewhere; and the surface-owners, the mining companies, who were in possession. Only one of these parties had the slenderest claim to compensation—namely, the companies, who must inevitably be disturbed in the possession of the surface by allowing others to work on or under it. But they get nothing; whilst the Government and the 'owner' (both of whom had years before derived the fullest profit allowed by law from these areas in the form of licenses), and the 'applicants' (who have allied themselves with the 'owners'), divide as compensation the proceeds of the auction!

faction fights which sometimes have fatal results, and always lead to the, at any rate, temporary disablement of some of the combatants, and the damaging of property. Accidents, too, are often attributable to the effects of drink, and altogether, as stated in the resolutions, a large percentage of the deaths among the natives here is directly due to drink. In its bearing on the labour question, drink also plays an important part. The shortness in the supply, as compared with the demand for labour, has been accentuated by it. Where possible more natives are kept in the compounds than are actually required for the work to be done, to make allowance for those who are disabled by drink.

The granting of licenses to liquor houses was carried to such an extreme that at last the entire community rose against it, and the expression of opinion was so strong that the Government was compelled to make a show of deferring to it. Involved in the liquor question was the matter of police, and arising out of this, again, was the question of dealing with crime in general, including the gold and amalgam stealing that was known to be carried on on a considerable scale at the expense of the companies.

The Attorney-General, or State Attorney, as he is called in the Transvaal, is the responsible head of the Law Department, and until lately was the departmental head of the police. The gentleman then occupying the position of State Attorney was peculiarly unfit—in the midst of that world of unfitness—for the duties which he was supposed to perform. He was removed from office, and after considerable negotiation Mr. Esselen was prevailed upon at a great monetary sacrifice to accept the position of State Attorney, he stipulating that he should have a free hand in reorganizing the detective and police forces. During the months in which Mr. Esselen continued in office admirable reforms were introduced, and a very appreciable influence was exercised on the condition of affairs in Johannesburg. It is inadvisable to state explicitly the nature of the objections which existed against some of the officials employed under the former *régime;* it is sufficient that they were proved to be participators in the offences which they were specially employed to suppress. Mr. Esselen's first step was to appoint as chief detective an officer borrowed from the Cape Colonial Government, Mr. Andrew Trimble, who in a very little while showed that courage and honesty of purpose could not only effect

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considerable reforms, but could provoke the undisguised and fierce hostility of a very large section of the community. The canteen keepers were up in arms; the illicit gold buyers left no stone unturned; the hangers-on of the Government lost no opportunity in their campaign against Mr. Esselen and his subordinate and their reforms. The liveliest satisfaction however was expressed by all those whose interest it was to have matters conducted decently and honestly, and who had no interest in crime except so far as its suppression was concerned. Representation was secured for the Chamber of Mines upon one of the licensing bodies, and here, too, a very appreciable result followed. During Mr. Esselen's term of office all went well as far as the public were concerned, but influences were soon at work to undermine the two reforming officials. It was represented to the President that Mr. Trimble had once been in the British army; that he was even then a subject of the Queen, and entitled to a pension from the Cape Government. The canteen interest on the goldfields, playing upon the prejudices of the Boers, represented that this was unfitting the dignity of the Republic. The President, who was too shrewd to be caught with such chaff, was perfectly ready to support them for the sake of the liquor interest, which for him constitutes a very useful electioneering and political agency throughout the country. Mr. Esselen was sent for, and it was represented to him by the President that the employment of a British subject in such a responsible office as that of chief detective was repugnant to the burghers. The reply was that it was competent for the Executive to naturalize Mr. Trimble at once and so remove the objection, the Government having power in special cases to dispense with the conditions of the Naturalization Law—a power frequently exercised in the case of their Hollander friends. The President, in reply, stated that it could not be done, and he appealed to Mr. Esselen to select a man of another nationality—'a Frenchman, German, or even an American'—this last being a concession wrung from him by Mr. Esselen's soothing suggestion that the Chief of Police should be familiar with the language of the criminal classes. The hitch was maintained for some months, but finally the

influences on the side of the President became too strong, and when it became clear that the many months of laborious work and self-sacrifice which had been given in the interests of reform were to be nullified by the appointment of a creature who would connive at every breach of the law, Mr. Esselen decided to stand or fall by his subordinate, the result being a triumph for the President.

In Mr. Esselen's place there was appointed as State Attorney Dr. Coster, a Hollander, who however declined to have anything to do with the organization of the police; and in Mr. Trimble's stead reappeared the individual whom he had superseded and whose services had been dispensed with.[1] The triumph of the back-door influences was again complete and the blow was a very nasty one to the mining industry.

Small wonder that at about this time the Uitlander community stopped all agitation, and that a mood of sullen opposition and discontent took its place. Hope was absolutely dead as abuse after abuse and scandal after scandal were showered upon them during the Session of 1895. Some of the acts of the Volksraad cut at the foundation of all security. In the early days of the Republic the Volksraad members had taken it upon themselves to reverse several of the decisions of the High Court, and in one case where the Government was being sued for the fulfilment of a contract the Volksraad had passed a resolution absolving the Government from certain terms of the contract. The decision of the Court, delivered by Chief Justice Kotzé, was to the effect that if the Volksraad should take a decision in conflict with an existing law, that law became *ipso facto* so far modified. In another case (the Dom's case) a resolution was passed disabling the aggrieved individual from taking action against the Government; in another, where the responsibility of the Government for the maintenance of roads had been indicated by a judgment for £1,000 damages, a law was passed in defiance of the conditions of the Grondwet, which stipulates for a period of notice and publication for proposed

[1] (July, 1899.) This individual has been again removed—this time by the present State Attorney, Mr. Smuts.

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enactments, absolving the Government from all damages of this nature.

More than once laws were passed with retroactive effect—truly one of the grossest abuses possible for a civilized Government. But perhaps the most startling case of all was that concerning the proclamation of the farm Witfontein. This farm had been proclaimed a public digging open for pegging on a certain hour of a certain day. An unprecedented rush of peggers took place. The Government, fearing a riot and ignoring their obvious duty in the matter of police protection and the maintenance of order, issued an illegal notice withdrawing the proclamation, and decided to give out the claims by means of lottery. Numbers of prospectors pegged out claims notwithstanding this, and the prospect of legal difficulties being imminent the Government submitted a measure to the Volksraad, passed also in defiance of Grondwet provisions, which was broadly to the effect that all persons who considered that they had claims for damages against the Government in regard to the farm Witfontein and the proclamation thereof, had none, and that the Government was absolved from all liability in this respect. This enactment was only passed after several persons had signified their intention to sue the Government. The Raad was in fact becoming familiar with the process of tampering with the Grondwet and members appeared ready to act on the dictates of their own sweet will without regard to consequences or laws.

On several occasions the President and Executive had treated with contempt the decisions of the High Court, and had practically and publicly reversed them. There are many instances which it is not necessary to quote but among the best-known and most instructive ones are the two cases known as the 'Rachmann' and 'April' cases. Rachmann was an Indian and a British subject, well educated, far better educated indeed than the Boer of the country. In following a strayed horse he had trespassed on the farm of one of the members of the First Raad. He was arrested and charged with intent to steal, tried by the owner's brother, who was a Field-cornet (district justice), and sentenced to receive twenty-five lashes and to pay a fine, the same sentence being meted

out to his Hottentot servant who accompanied him. Rachmann protested and noted an appeal, stating (which was the fact) that it was not within the power of a Field-cornet to inflict lashes, and at the same time he offered security to the value of £40 pending the appeal. His protests were disregarded and he was flogged. Not being a native in the sense in which the law uses the term—*i.e.*, a member of the aboriginal races—he could plead that he was not within the jurisdiction of a Field-cornet, and there is no doubt that the punishment was inflicted with full knowledge of its illegality Rachmann sued Mr. George Meyer, the Field-cornet in question, in the Circuit Court and obtained judgment and a considerable sum in damages, the presiding judge, Dr. Jorissen, animadverting with severity upon the conduct of the official. Meyer shortly afterwards obtained from Government the amount of his pecuniary loss through the affair, the President stating that he had acted in his official capacity and that they should protect him.

The 'April' case was one in which an unfortunate native named April, having worked for a number of years for a farmer on promise of certain payment in cattle and having completed his term, applied for payment and a permit to travel through the district. On some trivial pretext this was refused him, his cattle were seized, and himself and his wives and children forcibly retained in the service of the Boer. He appealed to the nearest official, Field-cornet Prinsloo, who acted in a particularly barbarous and unjustifiable manner, so that the Chief Justice before whom the case was heard (when April having enlisted the sympathy of some white people was enabled to make an appeal) characterized Prinsloo's conduct as brutal in the extreme and a flagrant abuse of power perpetrated with the aim of establishing slavery. Judgment was given against Prinsloo with all costs. Within a few days of this decision being arrived at the President addressing a meeting of burghers publicly announced that the Government had reimbursed Prinsloo, adding, 'Notwithstanding the judgment of the High Court, we consider Prinsloo to have been right.'

Actions of this kind have a distinct and very evil influence upon the supply of native labour. No attempt is made to

supply the industry with natives, or to protect the natives whilst on their way to and from the mines. The position became so bad that the Chamber of Mines instituted a department with a highly-paid official at its head to organize supply. It would inadequately describe the position to say that the Government have rendered the Chamber of Mines no assistance. Indeed, it appears as though the officials in the country had of set purpose hindered in every way possible the work so necessary to the working of the industry on profitable lines. Agencies were established in all the neighbouring territories. Some of the tribes declined to work in the Transvaal on account of the risks of highway-robbery and personal violence which they ran *en route*. In one case an effort was made by certain mine-owners to meet the difficulty by importing a whole tribe—men, women, and children—from Basutoland and locating them upon an adjacent farm. There is however a law known as the Plakkerswet, or Squatters' Law, which, framed with that peculiar cunning for which the Transvaal Government have achieved a reputation, has the appearance of aiming at the improvement of the native labour supply whilst in effect it does the opposite. It provides that not more than five families may reside upon one farm, the 'family' being an adult male with or without women and children. Ostensibly the law purports to prevent the squatting together of natives in large numbers and in idleness. As a matter of fact however the law is not applied in the cases of Boer farmers. From the President downwards the Boers own farms on which hundreds of families are allowed to remain, paying their hut-taxes and contributing largely to the prosperity of the land-owner. In the case of the Uitlander however there seems to be a principle at stake, as the mine-owners above referred to found to their cost. No sooner had they located their tribe and provided them with all the conditions necessary to comfort than an official came down to them, Plakkerswet in hand, and removed all except the five allowed by law and distributed them among his friends and relations. The experiment has not been repeated.

Early in 1894 the Chamber of Mines received assurances from the Government that if they would prepare a Pass Law which would include provisions for the protection of natives,

for the regulation of their relations with employers, and for their right to travel within the country, the Government would give their support to the measure and would endeavour to have it adopted by the Volksraad. The Commissioner for Native Affairs, General Joubert, admitted his inability to deal with so complex an affair, and gratefully accepted the aid of the Chamber. Such a concession on the part of the Government was regarded as highly satisfactory; the law was prepared, everything was explained and agreed to, the support of the Government was promised to the draft law, and it was anticipated that it would come into force during the Session of 1894. Such was not the case. It remained pigeon-holed throughout 1894 and 1895, and in the last days of the latter Session the law was passed; but an important omission occurred. The Government forgot to create the department to carry out the law, so that by the end of 1895 the men were no nearer having a workable law than ever. But reforms when introduced by the Transvaal Government, are not usually without an object, although not necessarily the declared one. An opportunity was here presented to the President to recognize past services, and he appointed to an office which required the highest intelligence, experience, character and zeal an individual who had been implicated in two disgraceful charges and who, having failed to clear himself had been dismissed his office by the Boer Government not two years previously. There was but one explanation forthcoming. The individual in question was a political supporter of the President and brother of a member of the Executive Council. No department has yet been created; but a chief has been appointed at a good salary, and the Pass Law has been proclaimed in one district of the Witwatersrand out of several; so that a measure which was designed to effect an immense saving in expense and convenience to the mining industry was by the appointment of an improper man and the neglect to organize a department rendered quite useless, and by partial promulgation it was made even detrimental.[1]

[1] (July, 1899.) Provision was made for the costs of this department by doubling the pass fee. In the early days of Johannesburg as soon as it became evident that hospital accommodation was necessary, application was made to the Government for a site (which was granted

It has been aptly said of the Boers—and the present instance illustrates the truth of the remark—that reform with them seems to be impossible; because, in the first place, they do not know what to do; in the second place, if they did, they have not got the men to do it; and, in the third place, if they had the men, they show no conception of a duty higher than that of utilizing every opportunity for personal advantage.[1]

on the hill then outside the town), and for some monetary assistance. A fund was also publicly subscribed and the hospital built. For the maintenance of the hospital two plans were adopted: one, the collection of funds once a year, *i.e.*, Hospital Saturday, a source which had yielded steadily between £2,000 and £3,000; two, having in view the immense number of native cases which required treatment and the extent to which a native is responsible for unsanitary conditions, it was proposed to impose upon them a fee of 1s. per month for their passes, the proceeds of this to be devoted entirely to the hospital. For several years this continued to yield sufficient for the purpose. The Transvaal Government, although accepting the plan proposed by the Uitlanders and for a considerable time carrying it out faithfully, did not establish the right permanently but adopted the formality of voting the proceeds of the pass-fee year by year. There came a year when the Raad in its wisdom decided that this source of revenue was too precarious for so worthy an object as the hospital, and they decided to vote instead an annual subsidy of £30,000. It was then known that the fees of the past year had amounted to over £40,000 and there was every prospect of steady annual increase. This explains why a seemingly generous subsidy by the Government does not meet with that hearty recognition to which it is apparently entitled. When a Pass Department was proposed, the Government inquired how it was suggested to maintain it. The Chamber of Mines proposed to raise the pass fee from 1s. to 2s. per month, the extra shilling to be devoted entirely to the administration of the Pass Law. With the experience of the hospital shilling in mind particular care was taken to have the agreement minuted and confirmed in writing. Nevertheless, it transpired in the evidence given at the Industrial Commission that the department was being run at a cost of slightly over £12,000 a year, whilst the proceeds of the shilling reached the respectable total of £150,000 a year. The Government, therefore, by a breach of agreement, make £138,000 a year out of the pass fund, and £120,000 a year out of the hospital fund; and the mining industry suffers in the meantime through maladministration in the department, and are doubly taxed in the sense that the companies have been obliged to establish and maintain at their own cost other hospitals all along the reef. It is not suggested that the companies should not provide hospitals, the point is that having established a fund, which although nominally paid by the natives really has to be made up to them in wages, they were entitled to the benefit of that fund.

[1] The story is told of two up-country Boers who applied to the President for appointments, and received the reply, 'What *can* I do for you? All the important offices are filled, and you are not educated enough to be clerks!'

To the uninitiated it may well be a puzzle that President Kruger should encourage a system aiming so directly at the strangling of an industry which is the mainstay of the country; but in order to appreciate his motives it is necessary to see things from his point of view. He and his party are not desirous of cheapening the cost of production. He does not aim at enabling the ever-increasing alien population to work lower-grade mines, and so double or treble the number of immigrants, even though it should profit the revenue of the country. A proposal was once made to proclaim as a public field the town lands of Pretoria—that is to say, to enable the public to prospect, and if results warranted, to open up mines on the lands—some thousands of acres in extent—surrounding the town. The President attended the debate in the Second Raad and violently opposed the measure. The appeal at the end of his address is perhaps as instructive as anything Mr. Kruger has said. 'Stop and think what you are doing,' he exclaimed, 'before you throw fresh fields open. Look at Johannesburg. See what a trouble and expense it is to us. We have enough gold and enough gold-seekers in the country already. For all you know there may be another Witwatersrand at your very feet.'

In January, 1891, the average wage for native labourers was £2 2s. per head per month. In 1893 it had risen to £2 18s. 10d., in 1895 to £3 3s. 6d. In other South African States wages rule from 15s. to 30s. per month, and the failure to facilitate the introduction of natives from outside and to protect them is largely responsible for the high figures paid on the Rand. Unquestionably the ill-will of the Boer Government is to blame for the consistent neglect of this growing need of the mines. If decent protection and facilities were given, the wage could be reduced to £1 15s. per month. The Government has it in its power to give the mines labour at this price, but, as a matter of fact, there is no desire to see the lower-grade mines working. A reduction of £1 a month —that is, to £2 3s. 6d.—would mean an annual saving of £650,000, and the main reason why nothing has been done to obtain this reduction is that President Kruger holds that the gold fields are already big enough and that their further extension would be a calamity.

Early in 1895 considerable suspicion and uneasiness were aroused by indications of the growth of the German policy. The commercial section of the community was disturbed by reports of secret arrangements favouring German importers. Facilities were given, and 'through rates' quoted from Hamburg to Johannesburg at a reduction which appeared to be greater than any economies in sea transport, coupled with the complete elimination of agency charges, would warrant. The formal opening of the Delagoa Bay Railway by the President furnished him with an opportunity to express with significant emphasis his friendliness for all things German. At a banquet given in honour of the German Emperor's birthday, January 27, 1895, the President, after eulogizing the old Emperor William, the present Emperor, and the loyalty of the Germans in the Transvaal, continued:

> The latter I experienced once again at the time of the Kaffir War. One day three or four Germans came to me and said: 'We are indeed not naturalized, and are still subjects of our Emperor in Germany, but we enjoy the advantages of this country, and are ready to defend it in accordance with its laws. If your Excellency requires our services, we are willing to march out.' And they marched. That is the spirit which I admire. They were under the laws, they worked under the laws, they obeyed the laws, and they fell in war under the laws. All my subjects are not so minded. The English, for instance, although they behave themselves properly and are loyal to the State, always fall back upon England when it suits their purpose. Therefore I shall ever promote the interests of Germany, though it be but with the resources of a child, such as my land is considered. This child is now being trodden upon by one great Power, and the natural consequence is that it seeks protection from another. The time has come to knit ties of the closest friendship between Germany and the South African Republic—ties such as are natural between father and child.

The very considerable increase in the number of Germans, and the positive statement that a great many men of military training were coming out for service in the Transvaal, that officers were being employed to work up the artillery and to design forts, all tended to increase the feeling of intense dissatisfaction and uneasiness which culminated in the outbreak at the close of the year. Dr. Leyds, it was well known, went on a political mission to Lisbon and to Berlin, and it was stated that large sums had been withdrawn from the Treasury and charged to the secret service fund, the handling of which was entrusted to this gentleman. Dr. Leyds' personal

popularity, never very great, was at the lowest possible ebb. He was regarded as the incarnation of Hollanderism—the 'head and front' of that detested influence. It was not credited to him in the Transvaal, as it has been elsewhere, that he designed or prompted the policy against the Uitlanders. There it is fully appreciated that there is but one man in it, and that man President Kruger. Dr. Leyds and others may be and are clever and willing tools. They may lend acidity or offensiveness to a hostile despatch, they may add a twist or two to a tortuous policy, but the policy is President Kruger's own, the methods are his own, all but the minor details. Much as the Hollander-German clique may profit by their alliance with Mr. Kruger, it is not to be believed that he is deceived. He regards them as handy instruments and ready agents. If they profit by the association, they do so at the expense of the accursed Uitlander; but there is no intention on Mr. Kruger's part to allow Germany or Holland to secure a permanent hold over the Republic, any more than he would allow England to increase hers. He has played off one against another with consummate skill.

Early in his official career Dr. Leyds was guilty of an indiscretion such as few would have suspected him of. Shortly after his appointment as Attorney-General he wrote to a friend in Holland, giving his opinion of the Members of the Executive. His judgment was sound; except of one man. Unfortunately for Dr. Leyds, he quarrelled with his correspondent; and the letter was of such a nature that, when published, it made extremely unpleasant reading. Generals Joubert and Smit, who had been described with admirable truth and candour, were so enraged that they demanded the instant dismissal of the 'conceited young popinjay' who had dared to criticise his masters. The President, however, who had been described as an ignorant, narrow-minded, pig-headed, and irascible old Boer whom—with the others thrown in—the writer could play with and twist round his finger as he chose, was not disturbed by the criticism. In reply to appeals for forgiveness on the score of youth, and in spite of the opposition of his colleagues, President Kruger agreed to retain Dr. Leyds in office, remarking that he was a capable young fellow and would

know better in course of time, and explaining to him personally that he would keep him there just as long as it suited his (the President's) convenience. The association has lasted for ten years, so it is to be presumed that Dr. Leyds has changed his opinion of President Kruger, and frankly realized his position.

During the early part of 1896, when the question of the release on bail of the reform prisoners seemed to be of some moment, a well-known Pretoria man, friendly to the Government, called upon President Kruger and urged the advisability of allowing the prisoners out on bail, and with considerable lack of tact explained that it was well known that the President's humane nature inclined him to be lenient, but that the malign influence of others was believed to be swaying him in this matter. The old President jumped up in a huff and said, 'Ja, ja, ja! You always say it is somebody else! First, it was Jorissen who did everything; then it was Nellmapius; and then it was Leyds. Well, Jorissen is done for; Nellmapius is dead; Leyds is in Europe—who is it now?'

The President's opinion of himself may be commended as food for reflection to those who think they know everything about the inner workings of the Transvaal.

Dr. Leyds' reputation, unfavourable as it had been, was not improved by the Selati Railway exposure. Rightly or wrongly, in this matter, as in the jobs of the Netherlands Railway and several others of considerable magnitude, he has been held responsible in the public mind for the financial loss which the Republic sustained. When he left, ostensibly on a recruiting trip, few—very few—believed that the illness was a physical one. It is alleged that a gentleman on President Faure's staff, on hearing that Dr. Leyds had gone to Berlin to consult a physician, inquired what the ailment was? 'Mal de gorge,' was the reply. 'Ah,' said the officer, 'mal de gorge—diplomatique.' And that was the opinion in the Transvaal, albeit differently expressed.

It is impossible within the limits of this volume nor is it at all necessary to review all the measures which have been passed by the Volksraad and pressed by the Government unnecessarily burdening the Uitlanders and unjustifiably

assailing their rights; such for instance as the Election Law, which made it a crime to form Committees or do any of those things which are regarded everywhere as part of the legitimate business of elections—thus leaving Mr. Kruger the sole master of electioneering machinery, namely, the Government officials. The Public Meetings Act was another monstrous infringement of rights. By it a policeman has the right to disperse any gathering of more than seven persons, if in his opinion it be desirable. Imagine it! Liberty of Speech against the Discretion of a Transvaal policeman! But the list would be long, and the tale monotonous. And as long and equally monotonous would be the list of the measures proposed or threatened, but fortunately not carried. However, the review of the period prior to 1896, and the statement of the causes leading to the outbreak, may fitly be brought to a close by the recital of some of the measures under both the above headings which grace the records of the Session of 1895.

As is well known, the Grondwet (the written constitution of the country) prescribes certain formalities for the introduction of new laws. In order to evade the law, and so avoid hostile criticism of proposed measures, in order, in fact, to prevent the public and even the Volksraad members from knowing and studying or explaining and digesting the intended legislation, it has become the practice of the Government to propose and rush through the most radical and important enactments in the form of amendments or explanations of existing laws. Prior to 1895 the Transfer Law imposed a tax of 4 per cent. upon the purchase-price of fixed property; and in the case of sales for shares a valuation of the property was made by the Government district officials, and transfer duty was paid on the amount of the valuation. This was universally done in the case of claims, which must of necessity in most instances be transferred several times before they become registered in the name of the company eventually working them. It was admitted that to pay 4 per cent. of full value on every transfer, or to pay 4 per cent. on the nominal value of ground on which years of work would have to be done and large sums of money expended before shareholders could reap one pennyworth of profit would be

iniquitous. In 1895, however, the Raad thought otherwise, and amended the law by the insertion of the words 'in cash or shares' after the words 'purchase-price.' The result is, that owners who have acquired claims at great cost, who have paid licenses continuously on their claims, and who have paid full transfer duty on each nominal change of ownership, necessary to consolidation into workable blocks or groups, are now required to pay again in cash 4 per cent. on the total capital allotted in respect of these claims in the company formed to work them. Members of the Raad, in supporting this measure, did not hesitate to argue that it was a good law, because the burghers did not sell their farms for shares, but for cash, and it was right to tax those people who deal in shares.

The sense of insecurity which obtains during the Sessions of the Raad is due scarcely less to the threats which are not fulfilled and attempts which do not succeed, than to what is actually compassed. A direct tax on gold has more than once been threatened; concessions for cyanide, jam, bread, biscuits, and woollen fabrics were all attempted. The revival of an obsolete provision by which the Government can claim a royalty on the gold from 'mynpachts,' or mining leases, has been promised, and it is almost as much expected as it is dreaded.

With a monotony which is wearying, but which does not diminish the unfortunate Uitlanders' interest in the subject, the burden of every measure falls on the alien. One more instance will suffice. It illustrates the Hollander-Boer genius for fulfilling the letter and breaking the spirit of a covenant. It was notified that Government were about to introduce a war tax, and that this tax was to be one of £20 per farm, to be levied in event of war if in the opinion of the Government it should be necessary. Much surprise was felt that anything so unfavourable to the Boers as a tax on farms should be proposed. When the measure came on for discussion it was found to contain provisions exempting the owner who personally resided on his farm, and especially and definitely taxing those farms which are owned by companies, associations, corporations, or partnerships. The Boer, it is well known, takes no shares in companies, joins no associations,

and has partnership with no one. This law was shelved in 1895, but has since been passed.[1] It is of a piece with the rest. Having sold his farm to the Uitlander, the Boer now proceeds to plunder him: and 'plunder' is not too strong a word when it is realized that the tax falls, not on the really valuable farms of the high veld, which are nearly all owned by individuals, and are all occupied, but on the undeveloped outlying farms, the rentable value of which would not on the average suffice to pay the tax! Indeed, one very large landowner stated to the Government at the time, that if this law were passed and put in force, they might take all his rentals good and bad in lieu of the tax, as it would pay him better!

These were matters which more immediately concerned persons of certain means. There is another matter, however, which very directly concerned every individual who had any intention of remaining in the country; that is, the matter of education. A dead set had always been made by the Transvaal Government against any encouragement of liberal education which would involve the use or even recognition of the English language. Indeed, some of the legislators have been known to express the opinion that education was not by any means desirable, as it taught the rising generation to look with contempt on the hardy Voortrekkers; and an interesting debate is on record, in which members pointedly opposed the granting of facilities for the education of their own womenkind, on the ground that presently the women would be found reading books and newspapers instead of doing their work, and would soon get to know more than their fathers, husbands, and brothers, and would, as a consequence, quickly get out of hand. It did not seem to occur to these worthy gentlemen that the proper course would be to educate the men. But it would not be fair to take this view as the representative one. On the point of the English language, however, and the refusal to give any facilities for the education of Uitlander children, the Boer legislature is practically unanimous. The appalling consequences of allowing the young population to grow up in absolute ignorance were realized by the people of Johannesburg, and efforts were

[1] (July, 1899.) The law has been declared by the law officers of the Crown to be a breach of the London Convention.

constantly made to induce the Government to recognize the evil that was growing in the State. The efforts were so entirely unsuccessful that the Uitlanders found in this as in other cases that nothing would be done unless they did it for themselves. A fund was opened, to which very liberal donations were made. The services of a Director-General were secured, and an Educational Council was elected. A comprehensive scheme of education—in the first place for the Rand district, but intended to be extended ultimately for the benefit of the whole of the Uitlander population in the Transvaal—was devised, and it was calculated that in the course of a few years a fund of close upon half a million of money would be required, and would be raised, in order to place educational facilities within the reach of the people. Needless to say, this did not at all square with the policy of the Transvaal Government, and the scheme was looked upon with the utmost disfavour. In order to defeat it, the Superintendent-General of Education, Dr. Mansvelt, a Hollander, who for six years had degraded his high office to the level of a political engine, felt himself called upon to do something—something to trail the red herring across the too hot scent; and he intimated that more liberal measures would be introduced during the Session of 1895, and in his report proposed certain amendments to the existing law, which would (in appearance, but, alas! not in fact) improve the condition of the Uitlander. The following letter appearing in the London *Times*, on October 3, 1896, although dealing with a period some months later than that under review, explains the position with authority and clearness—a position which has not been materially altered, except for the worse, during Dr. Mansvelt's *régime*. It will be noted that the last-named gentleman coupled with his 'liberal' provisions the suggestion that all schools, except those of the State, should be suppressed. Such a suggestion reveals very clearly the aim of this 'Reform' measure.

SIR,

I trust you will allow me a little space with a view to enable me to correct, by the application of a little wholesome fact, the erroneous impression which has been created in England with reference to the education of Uitlanders in the Transvaal by recent crude and ill-considered expressions of opinion, notably by Mr. Reginald Statham and Mr. Chamberlain.

Mr. ——, in a letter addressed to one of your contemporaries, informed the British public that in view of a liberal Government grant of £4 per head per annum, the Transvaal Uitlander had nothing to complain of in respect to education. As Mr. —— claims to be completely informed on Transvaal politics, he can only have been guilty of a deliberate, if not malicious *suppressio veri* when he omitted to say that, like most of the legislation of this country, which has for its ostensible object the amelioration of the condition of the Uitlander, this measure, which looks like munificence at first sight, has been rendered practically inoperative by the conditions which hedge it round. Take, for example, a school of 100 children. Strike out ten as being under age, ten as having been too short a time at school, twenty as suspected of being of Dutch parentage. Out of the sixty that remain suppose fifty satisfy the inspector in the Dutch language and history, and you have as your allowance for the year £200—a sum which is insufficient to pay the Dutch teacher employed to bring the children up to the required standard in that language. It is small wonder, then, that most teachers prefer to dispense with this Will-o'-the-wisp grant altogether, seeing that the efforts of some to earn it have resulted in pecuniary loss. The actual sum expended on Uitlander schools last year amounted to £650, or 1s. 10d. a head out of a total expenditure for education of £63,000, the expenditure per Dutch child amounting to £8 6s. 1d.

Mr. Chamberlain considers the new educational law for Johannesburg as a subject for gratulation. I should have thought that his recent dealings with Pretoria would have suggested to him as a statesman that felicitations upon the passing of a vague and absolutely undefined measure might possibly be a little too premature. A Volksraad, which only rejected the forcible closing of private schools by a majority of two votes, is hardly likely to give the Executive *carte blanche* to deal with Uitlander education without some understanding, tacit or declared, as to how this power is to be wielded. Be that as it may, nearly two months have elapsed since the passing of a measure which was to come into operation at once, and nothing has been done. In the meantime, we can learn from the inspired press and other sources that English schools which desire aid under the new law must be prepared to give instruction in Standard V. and upwards, and entirely in the Dutch language. So far, the Superintendent of Education, whether acting under instructions or on his own initiative, has been absolutely immovable on this point, and the much-vaunted law promises to be as much a dead letter as the 1s. 10d. grant. The Johannesburg Council of Education has exerted its influence to secure such an interpretation of the new law as would lead to the establishment of schools where Dutch and English children might sit side by side, and so work towards establishing a bond of sympathy and the eventual blending of the races. The Pretoria authorities however refuse to entertain the idea of meeting the Uitlander in a conciliatory spirit on anything like equal terms, but will only treat with us on the footing of master and servant. A curious and almost inexplicable feature of the situation is the fact that hundreds of Boers are clamouring for the better instruction of their children in English, but which is steadfastly refused them.

I might enlarge on what I have written, and point out the injustice and the gross system of extortion practised by the Government in making Johannesburg pay something like £7 per head for the education of Dutch children, whilst it has to pay from £5 to £15 per annum

for the education of each child of its own, meanwhile leaving hundreds growing up in the blackest ignorance and crime. Any comment would, however, lay me open to the charge of bias and partisanship, and I therefore confine myself to the simple statement of a few facts, which I challenge anyone to controvert, leaving the reader to draw his own conclusions.

I am, sir, yours, etc.,
JOHN ROBINSON,
Director-General Johannesburg Educational Council.

Imagine it! £650 used for the children of those who contributed nine-tenths of the £63,000 spent on education!

The succession of flagrant jobs, the revelation of abuses unsuspected, the point-blank refusal to effect any reasonable reforms had filled the Uitlanders' cup perilously full, and during the latter half of 1895 the prospect of any change for the better, except at the cost of fighting, was generally realized to be very poor indeed.

Trouble came to South Africa with the end of 1895. It very nearly came earlier. Mention has been made that the Netherlands Railway Company practically dictates the relations of the Transvaal with the other States in South Africa by means of its tariffs. The competition between the Cape, Natal and Delagoa lines having become very keen, and the Cape service by superior management and easier gradients having secured the largest share of the carrying trade, attempts were made to effect a different division of profits. Negotiations failed to bring the various parties to terms, and owing to the policy of the Netherlands Railway Company, the Cape Colony and Free State, whose interests were common, were in spirit very hostile to the Transvaal, and bitterly resentful of the policy whereby a foreign corporation was aided to profit enormously to the detriment of the sister South African States. After all that the Colonial and Free State Dutch had done for their Transvaal brethren in days of stress and adversity, it was felt to be base ingratitude to hinder their trade and tax their products.

The Cape Colony-Free State line ends at the Vaal River. Thence all goods are carried over the Netherlands Railway Company's section to Johannesburg, a distance of about fifty miles. In order to handicap the southern line, an excessive rate was imposed for carriage on this section.

Even at the present time the tariff is 8½d. per ton per mile, as against a rate of about 3d. with which the other two lines are favoured. Notwithstanding this, however, and the obstructions placed in the way by obnoxious regulations and deliberate blocking of the line with loaded trucks at Vereeniging, and also the blocking of Johannesburg stations by non-delivery of goods—measures which resulted sometimes in a delay of months in delivery, and sometimes in the destruction or loss of the goods—the Southern line more than held its own. The block was overcome by off-loading goods at the Vaal River and transporting them to Johannesburg by mule and ox waggons.

Mr. Kruger and his Hollander friends were almost beaten when the President played his last card. He intimated his intention to close the Vaal River drifts against over-sea goods, and, by thus preventing the use of waggons, to force all traffic on to *his* railways upon *his* terms; and as the threat did not bring the Colony and Free State to the proper frame of mind, he closed them. This was a flagrant breach of the London Convention, and as such it was reported by the High Commissioner to Mr. Chamberlain, and imperial intervention was asked. Mr. Chamberlain replied that it was a matter most closely affecting the Colony, and he required, before dealing with it, to have the assurance of the Colonial Government that, in the event of war resulting, the cost of the campaign would be borne, share and share alike, by the Imperial and Colonial Governments, and that the latter would transport troops over their lines free of charge. Such was the indignation in the Colony at the treatment accorded it that the terms were at once agreed to —a truly significant fact when it is realized that the Ministry undertaking this responsibility had been put and was maintained in office by the Dutch party, and included in its members the best and most pronounced Africander representatives. But Mr. Kruger is not easily 'cornered.' His unfailing instinct told him that business was meant when he received Mr. Chamberlain's ultimatum to open the drifts. The President 'climbed down' and opened them! He has several advantages which other leaders of men have not, and among them is that of having little or no pride. He will

bluster and bluff and bully when occasion seems to warrant it; but when his judgment warns him that he has gone as far as he prudently can, he will alter his tactics as promptly and dispassionately as one changes one's coat to suit the varying conditions of the weather. Mr. Kruger climbed down! It did not worry him, nor did he take shame that he had failed. He climbed down, as he had done before in the Stellaland affair, the Banjailand trek, the commandeering incident, and as he no doubt will do in others; for he may bluff hard, but it will take a great deal to make him fight. There is one matter upon which Mr. Kruger's judgment is perfect: he can judge the 'breaking strain' to a nicety. He climbs down, but he is not beaten; for as surely as the dammed stream will seek its outlet, so surely will the old Dutchman pursue his settled aim.

War is war, and always bad; but sometimes worse; for the cause is still a mighty factor, as those may see who contrast the probable effects upon the people of South Africa of war on the drifts question with the actual results of the Jameson raid.

CHAPTER III.

THE ORIGIN OF THE MOVEMENT.

HAVING failed in their constitutional attempts to secure a reasonable voice in the government, or any redress of their grievances, there came the time when men's thoughts naturally turned to the last expedient—force. Up to and so late as the Volksraad Session of 1895 a constitutional agitation for rights had been carried on by the Transvaal National Union, a body representing the unenfranchised portion of the population. Of its members but few belonged to the class of wealthy mine and land owners: they had so far abstained from taking any part in a political organization which was viewed with dislike and suspicion by the Government and the great majority of the Boers. It has been asserted by a few Progressive members of the Raad that many of the Boers were themselves opposed to the policy adopted towards the newcomers; but, whilst this may be to some extent true, it is more than questionable whether any of the burghers were willing to concede a share in the power of government, although it is certain that great numbers would not have taken active steps against the Uitlanders but for the invasion by a foreign force. Any extending of the franchise means to the great majority of the Boers a proportionate loss of independence.

When the matter of the Independence of the Republic is discussed it must not be forgotten that independence conveys something to the Boers which is radically different from what it means to anyone else. That the State should continue for ever to be independent and prosperous—a true republic—would be mockery heaped on injury if the absolute

domination by the Boer party should cease; and when the parrot-like cry of 'The Independence of the State is threatened' is raised again and again *à propos* of the most trivial measures and incidents, this idea is the one that prompts it. Instances innumerable could be quoted seemingly illustrating the Boer legislators' inability to distinguish between simple measures of reform and justice, and measures aimed at undermining the State's stability and independence. It is not stupidity! It is that the Boer realizes at least one of the inevitable consequences of reform—that the ignorant and incapable must go under. Reform is the death-knell of his oligarchy, and therefore a danger to the independence of the State—as he sees it. Until the European people who have lately become so deeply concerned in Transvaal affairs realize how widely divergent are the two interpretations of 'Independence,' they will not have begun to understand the Transvaal Question.

The National Union did not represent any particular class in the Uitlander community. It was formed of men drawn from all classes who felt that the conditions of life were becoming intolerable, and that something would have to be done by the community to bring about reforms which the legislature showed no signs of voluntarily introducing.

When it is said that it consisted of men drawn from all classes, the qualification should be made that the richer classes, that is to say, the capitalists of the country, were very meagrely if at all represented. Many efforts had been made to enlist the sympathies of the capitalists, and to draw them into the movement, but the 'big firms,' as they were styled, for a very long time refused to take any part whatever, preferring to abstain entirely rather than associate themselves with a definite agitation. They pleaded, and no doubt fairly, that in case of failure they with their vested interests would be the ones to suffer, while in the event of success they would not benefit in a greater degree than the individuals who had little or no material stake. One by one however they were drawn into the political movement to the extent of supplying funds for carrying on the reform agitation, or of giving monetary support to those who were stimulating and organizing the Progressive party among the

Boers. There can be no doubt that prior to 1895 the wealthier men without exception refused to consider the possibility of violent measures. It was only when they realized that the Boer party were determinedly hostile—organizing very large encroachments upon the privileges of the Uitlanders and designing fresh burdens to be borne by them—and when it became clear that the dangers threatening as a result of their own supine attitude were worse than any disfavour with which they might be viewed on account of political action, that they began to take an active part with others in the agitation for reform. It was not until the Volksraad in the Session of 1895 revealed their real policy and their fixed determination to effect no reform that men began to talk of the possibility of revolutionary measures becoming necessary. The subject once mooted was frequently discussed, and once discussed became familiar; and the thing which a few months before had been regarded as out of the bounds of possibility came to be looked upon as a very probable contingency. The extraordinary boom in shares, land, and all kinds of property, which lasted throughout the year, no doubt operated against the maturing of this feeling, but it nevertheless continued to grow. The most dissatisfied section of the Rand was, naturally enough, that one which included the South African Uitlander. These men, born in South Africa, or having spent the best years of their lives there, felt extremely bitter against the Boer Government, and were moved by feelings which were not in any way connected with considerations of material gain. With them were closely associated men of all nationalities who had determined to make their homes in the Transvaal, and these formed the class which has been disparagingly referred to as 'the political element,' but which the experience of every country shows to be the backbone of a nation. They were in fact the men who meant to have a hand in the future of South Africa. After them came the much larger class whose interest in the reforms was based mainly upon the fact that they suffered from the abuses and over-taxation of the Government.

For several years a very strong feeling against the capitalists had ruled in Johannesburg. Men who thoroughly

knew the Boer had prophesied and continued throughout to prophesy that absolutely nothing would be done to improve the conditions, and that the capitalists might as well throw in their lot with the general public early in the day as be forced to do so later, after spending their thousands in fruitless efforts for reform, and after committing themselves to a policy which would be regarded as selfish, pusillanimous, and foolish. The moneyed men no doubt occupied a very prominent and powerful position. They were constantly besought by the Reform leaders to side with them ; they were looked to by the Progressive Party in the Boer camp to aid reform by peaceful measures only, to exercise all their influence towards preventing rash or violent measures being taken by the more excited party, and to trust to time and patience to achieve those results which they were all honestly desirous of bringing about; and they were approached, as has been stated, by the President and his party when moments of danger arrived, and when it was felt that their influence could be used towards the preservation of peace,—as witness the Loch incident.

'It is no crime to be a capitalist,' said one commentator on the late events, and neither is it necessary to attribute to this section of the community motives of patriotism to justify their association with the Reform movement. It is not intended to suggest that the men who did associate themselves eventually with it were not moved by any higher consideration than that of protecting their interests—in many cases a far larger view than this was taken; but it may be asked,—assuming that the capitalists were not moved by higher considerations,—What is there in their position which should debar them from endeavouring to introduce the reforms which would benefit them only equally with every other honest man in the community?

Most of the wealthy houses in the Transvaal are either offshoots of or have supporting connections with firms in England or on the Continent. Between them and their principals much correspondence had taken place on the political situation. As far as these houses were concerned, it was impossible for them to enter upon any movement without the consent of their European associates. For this reason the Reform

movement, as it eventually took place, has in some ways the appearance of and has very frequently been stigmatized as an organization planned and promoted outside the Transvaal. The fact is that Mr. Alfred Beit, of the firm of Wernher, Beit and Co., London, and Mr. Cecil Rhodes, managing director of the Consolidated Goldfields, may be regarded as the chiefs to whom the ultimate decision as to whether it was necessary from the capitalistic point of view to resort to extreme measures was necessarily left. Each of these gentlemen controls in person and through his business associates many millions of money invested in the Transvaal; each of them was, of course, a heavy sufferer under the existing conditions affecting the mining industry, and each, as a business man, must have been desirous of reform in the administration. Mr. Beit acted in concert with Mr. Lionel Phillips, of H. Eckstein and Co., the Johannesburg representatives of Wernher, Beit and Co. Mr. Rhodes was represented by his brother, Colonel Francis Rhodes, and Mr. J. H. Hammond, of the Consolidated Goldfields Company in Johannesburg. Mr. George Farrar, another very large mine-owner, who joined a little later than the others, with the gentlemen above named, may be considered to have represented the capitalist element in the earlier stages of the Reform movement. The other elements were represented by Mr. Charles Leonard, the chairman of the National Union, and one or two other prominent members of that body.

It is impossible to say with whom the idea of the movement, including the arrangement with Dr. Jameson, originated. Perhaps it germinated when Dr. Jameson read the life of Clive! Probably it was the result of discussion, and no one man's idea. At any rate arms and ammunition were purchased, and arrangements were made by which they should be smuggled into the country concealed in machinery or gold-mining appliances. During the month of November Messrs. Leonard and Phillips went to Capetown to see Mr. Rhodes, in order to assure themselves finally as to the course which was to be pursued. The position of Mr. Rhodes in the matter was recognised by them to be a difficult one. Whilst as the managing director of the Consolidated Goldfields he had as much right as any other man interested in the Transvaal

would have to concern himself in a movement of this nature, his right to act in his capacity of managing director of the Chartered Company would depend entirely on the nature of the part which he professed to play; but his position as Prime Minister of the Colony made the already difficult position much more complicated. Realizing this, Messrs. Leonard and Phillips acting on behalf of the others determined to have a perfectly clear understanding and to ascertain from Mr. Rhodes definitely what were his objects in associating himself with the movement. The matter was discussed at Mr. Rhodes' house, and the report given by the two deputies to their colleagues on their return was that Mr. Rhodes frankly admitted that he had two objects in view: one was to obtain an amelioration of the conditions such as he was entitled to claim as representing an enormous amount of capital invested in the Transvaal; the other object is best described by Mr. Leonard. 'We read to him,' said that gentleman when reporting to his comrades the result of his visit, 'the draft of our declaration of rights. He was leaning against the mantelpiece smoking a cigarette, and when it came to that part of the document in which we refer to Free Trade in South African products he turned round suddenly and said: "That is what I want. That is all I ask of you. The rest will come in time. We must have a beginning, and that will be the beginning. If you people get your rights the Customs Union, Railway Convention, and other things will all come in time." He then added that we must take our own time about this movement, and that he would keep Jameson on the frontier as long as it was necessary as a moral support, and also to come to our assistance should we get ourselves into a tight place. We asked him how he hoped to recoup himself for his share of the expense in keeping Jameson's force on the border, which should be borne by us jointly. He said that seeing the extent of his interests in the country, he would be amply repaid by the improvement in the conditions which it was intended to effect.'

It has since been suggested that the object of the movement was to 'steal the country' and to annex it to Rhodesia, in order to rehabilitate the Chartered Company. The suggestion is too ludicrous for serious discussion. It must be obvious to

anyone that the persons most concerned in the movement, and whose interests lay in the Rand, would be the very last to consent to any such scheme. There appears to be no conceivable basis upon which such an arrangement could have been entered into, and it is quite clear that no sensible business man having interests in a rich country in a comparatively advanced state of development would consent to share that certainty with a new country such as Rhodesia, the value of which, however promising, has still to be proved. Notwithstanding the ludicrous nature of the charge, it is quite certain that the Boers have a deep-rooted conviction of its truth.

The arrangements with Dr. Jameson were made with him in person. During the month of September he visited Johannesburg, and it was then agreed that he should maintain a force of some 1,500 mounted men fully equipped, a number of Maxims, and some field artillery; that he was, in addition to this, to have with him 1,500 spare rifles and a quantity of spare ammunition; and that about 5,000 rifles, three Maxim guns, and 1,000,000 rounds of ammunition were to be smuggled into Johannesburg. It was calculated that in the town itself there would be, perhaps, 1,000 rifles privately owned. Thus, in the event of a junction of forces being effected, Johannesburg would be able to command about 9,000 armed men, with a fair equipment of machine-guns and cannon. Nor was this all, for on the original plan it was intended to seize the fort and magazines at Pretoria. And circumstances favoured the plans of the Johannesburg men. The surrounding wall of the fort, a mere barrack, had been removed on one side in order to effect some additions; there were only about 100 men stationed there, and all except half a dozen could be counted on as being asleep after 9 p.m. There never was a simpler sensational task in the world than that of seizing the Pretoria fort—fifty men could have done it. But there was more to be done than the mere taking. In the fort there were known to be some 10,000 rifles, ten or twelve field-pieces, and 12,000,000 rounds of small-arm ammunition; and it was designed to seize the fort and the railway on the night of the outbreak and, by means of one or two trains, to carry off as much of the material as possible and destroy the rest.

Association with Dr. Jameson as the leader of an invading force is the one portion of their programme which the Reform leaders find it extremely difficult to justify. As long as the movement was confined to the Uitlanders resident in the Transvaal the sympathy of South Africa and indeed of the world was with them. It was the alliance with the foreign invader which forfeited that sympathy. That the eventual intention of the Reformers was only to call upon Dr. Jameson in case they found themselves attacked by and unable to cope with the Boers is a fact, but it is only fair to Dr. Jameson to note that this was a modification of the original arrangement by which both forces were to act simultaneously and in concert,—when the signal should be given from Johannesburg.

On the occasion of Dr. Jameson's second visit to Johannesburg, towards the end of November, the following letter of invitation was written and handed to him:

To Dr. Jameson.

JOHANNESBURG.[1]

DEAR SIR,

The position of matters in this State has become so critical that we are assured that at no distant period there will be a conflict between the Government and the Uitlander population. It is scarcely necessary for us to recapitulate what is now matter of history; suffice it to say that the position of thousands of Englishmen and others is rapidly becoming intolerable. Not satisfied with making the Uitlander population pay virtually the whole of the revenue of the country while denying them representation, the policy of the Government has been steadily to encroach upon the liberty of the subject, and to undermine the security for property to such an extent as to cause a very deep-seated sense of discontent and danger. A foreign corporation of Hollanders is to a considerable extent controlling our destinies, and in conjunction with the Boer leaders endeavouring to cast them in a mould which is wholly foreign to the genius of the people. Every public act betrays the most positive hostility, not only to everything English, but to the neighbouring States.

Well in short the internal policy of the Government is such as to have roused into antagonism to it, not only practically the whole body of Uitlanders but a large number of the Boers; while its external policy has exasperated the neighbouring States, causing the possibility of great danger to the peace and independence of this Republic. Public feeling is in a condition of smouldering discontent. All the petitions of the people have been refused with a greater or less degree of contempt; and in the debate on the Franchise petition, signed by nearly 40,000

[1] The date of 20th December, 1895, was filled in by Dr. Jameson when he decided to start and to publish the letter.

people, one member challenged the Uitlanders to fight for the rights they asked for, and not a single member spoke against him. Not to go into details, we may say that the Government has called into existence all the elements necessary for armed conflict. The one desire of the people here is for fair play, the maintenance of their independence, and the preservation of those public liberties without which life is not worth living. The Government denies these things, and violates the national sense of Englishmen at every turn.

What we have to consider is, What will be the condition of things here in the event of a conflict? Thousands of unarmed men, women and children of our race will be at the mercy of well-armed Boers, while property of enormous value will be in the greatest peril. We cannot contemplate the future without the gravest apprehensions. All feel that we are justified in taking any steps to prevent the shedding of blood, and to insure the protection of our rights.

It is under these circumstances that we feel constrained to call upon you to come to our aid,[1] should a disturbance arise here. The circumstances are so extreme that we cannot but believe that you and the men under you will not fail to come to the rescue of people who will be so situated. We guarantee any expense that may reasonably be incurred by you in helping us, and ask you to believe that nothing but the sternest necessity has prompted this appeal.

CHARLES LEONARD.
LIONEL PHILLIPS.
FRANCIS RHODES.
JOHN HAYS HAMMOND.
GEORGE FARRAR.

The letter was drafted by Mr. Charles Leonard, and was signed then by four out of the five signatories, the fifth signature being added some weeks later in Cape Town. It was not dated, and was to be used only privately and in case of necessity for the purpose of excusing Dr. Jameson to the directors of the Chartered Company and the Imperial authorities in the course which it was intended to take.

Various plans were discussed, and even dates were provisionally arranged. The first arrangement agreed to was that Dr. Jameson should start two days before the intended

[1] When this letter was published by Dr. Jameson and cabled to the London *Times* the sense of it was very gravely—but doubtless unintentionally—altered by terminating this sentence with the word 'aid' and carrying the remaining words into the next sentence.

(July, 1899.) At the Westminster inquiry it transpired that on December 20 Mr. Rhodes instructed Dr. Harris to wire for a copy of the letter. Dr. Jameson forwarded it after filling in that day's date. On December 30, Dr. Harris, again acting on Mr. Rhodes' instructions, telegraphed the letter to the *Times*, having altered the date to 28th, and prefaced it with the statement that the letter had been 'sent on Saturday (28) to Dr. Jameson, Mafeking.'

outbreak in Johannesburg. This was agreed to for the time being, but subsequent discussion convinced the leaders that there were the gravest objections to such a course, and it was therefore decided that Dr. Jameson should be notified to start from his camp on the same night as the outbreak in Johannesburg. The dates of December 28 and January 4 were in turn provisionally decided upon, but the primary condition of these arrangements was that under no circumstances should Dr. Jameson move without receiving the word from the Johannesburg party.

With reference to the question of going out to meet Dr. Jameson or giving him assistance, the only thing that was discussed was that an officers' patrol should be sent out to meet him, to escort him to his camp. There was no doubt entertained as to the ability of Dr. Jameson and the force which it was believed he would command to come in without assistance or the arrangement would never have been made. The idea of the association with him was, of course, that he should assist the Reformers—not they assist him; and the proposal regarding the officers' patrol was one to which he only consented after scouting the notion of any co-operation.

During the weeks which followed the conclusion of the arrangement considerable dissatisfaction was felt at the very slow progress made in obtaining arms. The number originally agreed to was deemed to be sufficient but no more; and when it was first found that it would not be possible to obtain this number but that a few hundreds less would have to be accepted, doubts were freely expressed as to the wisdom of proceeding until a sufficient supply had been obtained. When on two subsequent occasions it was again notified that still a few hundred less would have to be accepted, some members of the Reform Party were very emphatic in their objections to proceeding any further until they should be satisfied that the undertakings upon the strength of which they had entered upon the arrangement would be faithfully adhered to. On the occasion of Dr. Jameson's last visit it had been extracted from him that instead of 1,500 men he would probably start with from 800 to 1,000. These discrepancies and alterations caused the liveliest dissatisfaction in the minds of those who realized

that they were entering upon a very serious undertaking; but although the equipment seemed poor, reliance was always placed on the taking of Pretoria Fort. That at any rate was a certainty, and it would settle the whole thing without a blow; for Johannesburg would have everything, and the Boers would have rifles, but neither ammunition nor field-guns. Without doubt the Pretoria arsenal was the key of the position, and it is admitted by Boer and alien alike that it lay there unguarded, ready to be picked up, and that nothing in the world could have saved it—except what did!

On or about December 19, Messrs. Woolls-Sampson and A. Bailey, two Johannesburg men concerned in the movement, who had been in communication with Mr. Rhodes and others in Cape Town, arrived in Johannesburg, and indicated clearly that the question as to which flag was to be raised was either deemed to be a relatively unimportant one or one concerning which some of the parties had not clearly and honestly expressed their intentions. In simple truth, it appeared to be the case that Dr. Jameson either thought that the Johannesburg reformers were quite indifferent on the subject of the flag, or assumed that the provisions for the maintenance of the Transvaal flag were merely talk, and that the Union Jack would be hoisted at once. Nothing was further from the truth. The Reform Party in Johannesburg included men to whom the Union Jack is as dear as their own heart's blood, but it also included many others to whom that flag does not appeal—men of other nationalities and other associations and other sympathies. It included—perhaps the strongest element of all—those men whose sympathies were naturally and most strongly all for British rule, which they believed to be the best in the world, but whose judgment showed them that to proclaim that rule would be to defeat the very objects they honestly had in view, and who would have regarded the change of flag at the last moment as an unprincipled deception of those comrades who had been induced to co-operate for reform and not for annexation. It had been repeatedly and emphatically stated that the object was not to deprive the Boer of his independence or the State of its autonomy, but to alter the system of government in such a way as, first to obtain betterment of the economic conditions

which affect everyone, and afterwards to induce a policy more in accordance with the general South African sentiment—in fact to get the Transvaal into line with the other South African States, in the same way for instance as the Free State had shown itself disposed to go. It is but poor work explaining failure, yet it must surely be permissible that something should be said for those who alone have had no hearing yet. And it is in the minds of the Reformers that the professions of their 'real intentions' regarding the flag made by Dr. Jameson and Mr. Rhodes might appropriately have been made before the raid, instead of afterwards when all was over. The regard for definite pledges, which in the Reformers was described as merely an excuse for backing out, would, if it had been observed by all, have made a sickening fiasco impossible.

No sooner had a doubt been raised on the subject of the flag than a trusted emissary was despatched to inquire from Mr. Rhodes the meaning of this tampering with one of the fundamental conditions of the agreement. The messenger returned on Christmas morning, and at a largely-attended meeting of the ringleaders stated that he had seen Mr. Rhodes, and had received from him the assurance that it was all right about the flag: no question or doubt had been raised on the subject. In returning to Capetown however in company with Dr. Rutherfoord Harris, he learned from that gentleman that it was by no means all right, and gathered that it was assumed that the provision about maintaining the Transvaal flag was so much talk necessary to secure the adhesion of some doubtful people. The announcement was received with the gravest dissatisfaction. Several of the leading men stated emphatically that nothing would induce them to take part in the movement unless the original arrangement was loyally adhered to. In consequence of this it was resolved to despatch Messrs. Charles Leonard and F. H. Hamilton to see Mr. Rhodes and to obtain from him a definite guarantee that in the event of their availing themselves of Dr. Jameson's help under any conditions the latter would abide by the arrangements agreed upon.

It was then thought that a week would be sufficient time in which to clear up the flag question and complete prepara-

tions. It was decided to call a big public meeting for the night of Monday, January 6, not with the intention of holding the meeting, but as a blind to cover the simultaneous rising in Johannesburg and seizing of the arsenal in Pretoria on the night of Saturday, January 4. With this in mind it was arranged to publish, in the form of a manifesto,[1] the address which Mr. Charles Leonard had prepared for the meeting.

Among the Reformers there had always been a considerable section who regarded the alliance or arrangement with Dr. Jameson as a very doubtful advantage. It was this section which strongly and successfully opposed the suggestion that he should start before an actual outbreak. The difference of opinion was not such as to cause division in the ranks, but yet sufficient to keep alive discussion as to how the common aim could be achieved without risk of the complications which external aid in the initial stages would be sure to cause. To this feeling of doubt was added a sense of distrust when Dr. Jameson's importunity and impatience became known; and when the question of the flag was raised there were few, if any, among those concerned in the movement who did not feel that the tail was trying to wag the dog. The feeling was so strong that many were prepared to abandon the whole scheme and start *de novo* rather than continue an undertaking in which it looked as though they were being fooled. Hence the despatch of Messrs. Leonard and Hamilton on Christmas Day.

Confidence in their power to control Dr. Jameson and direct the movement, as they considered they had the right and ability to do, had been so shaken in the reformers that as soon as Messrs. Leonard and Hamilton had been sent they began to discuss a complete change of plans, and awaited only the reply from Capetown before taking the first steps in the prosecution of the new programme. The plan most favoured was that the importation and distribution of arms should be continued as speedily and as secretly as possible, that, instead of an invading force, as many armed and trained men as could be obtained should be brought in, nominally as mechanics or men seeking employment on

[1] See Appendix I. for the full text of Manifesto.

the mines, that the public meeting called for January 6 should be held and made as large and demonstrative as possible, and a demand made to the Volksraad to grant the redress of the grievances complained of, and, failing reasonable concessions, that they should rise in arms and at the same time appeal to England, as the paramount Power, or to the other South African Governments, to mediate and so avert civil war. It was believed, and with much reason, that the Boers, knowing, as they then inevitably would, that a considerable quantity of arms and ammunition had been smuggled in, and knowing also that the sentiment of South Africa, including the Free State, was all in favour of considerable concessions to the Uitlanders, would have hesitated to take the initiative against Johannesburg, and would either have yielded to the pressure of the general South African opinion and have accepted the mediation of the High Commissioner, or would have offered considerable reforms. The Kruger party, it was well known, would proceed to any extreme rather than concede anything to the Uitlanders; but at that time the majority of the Boers were opposed to the Kruger policy of favouring the Hollanders and Germans to the exclusion of all other Uitlanders, and this majority would not have consented to measures calculated to embroil them with the people who had made their country prosperous, and even to imperil the very existence of the State, whilst an alternative course so easy as the one presented lay open to them.

On the day following the despatch of Messrs. Leonard and Hamilton to Capetown it was decided to send messengers to Dr. Jameson to emphatically prohibit any movement on his part, also to explain to him the position of affairs in Johannesburg with reference to the flag, and above all to impress upon him the condition of unpreparedness. Major Heany was sent by train viâ Kimberley, and in order to facilitate his travelling a telegram was sent to Mr. Rhodes in Capetown asking him to arrange for a special train, and acquainting him with the purpose of the trip. Captain Holden was sent on horseback across country to Pitsani. Both gentlemen carried the most definite instructions to Dr. Jameson on no account to move. Both gentlemen have

since stated that they delivered the messages in word and in spirit absolutely as they were given to them in Johannesburg, and that they carried no private messages whatever from any individual member of the Committee in any way conflicting with the purport of the official message with which they were charged.

On the Thursday, Friday, and Saturday telegrams and messages were received from Dr. Jameson, all revealing impatience and a desire if not an intention to disregard the wishes of the Johannesburg people. Replies were sent to him and to the Capetown agents protesting against the tone adopted, urging him to desist from the endeavour to rush the Johannesburg people as they were pushing matters on to the best of their ability and hoped for a successful issue without recourse to violent measures, and stating emphatically that the decision must be left entirely in the hands of Johannesburg as agreed, otherwise there would be certain disaster. Besides what would be regarded as the official expressions and messages of the Johannesburg people, several individual members of the party telegraphed to Dr. Jameson informing him of the position and adding their personal advice and testimony. The probability of achieving success without firing a shot was referred to in the sense of a most satisfactory prospect. It did not occur to any one among the Johannesburg party that it was this prospect that moved Dr. Jameson to start. That idea is of later birth.

On Sunday morning, at about ten o'clock, two telegrams of importance were received. The first was from Messrs. Hamilton and Leonard, to the following effect: 'We have received perfectly satisfactory assurance from Cecil Rhodes, but a misunderstanding undoubtedly exists elsewhere. In our opinion, continue preparations, but carefully, and without any sort of hurry, as entirely fresh departure will be necessary. In view of changed condition Jameson has been advised accordingly.' Portions of this message were in code. It left Capetown at 2.20 p.m. on Saturday, the 28th, and was received on Sunday at about ten o'clock. The second telegram was one from Dr. Jameson to his brother, Mr. S. W. Jameson, and had been despatched at about the same time. It was in the Bedford-McNeil Code, and was much mutilated—so

much so that it was thought to have been purposely done in the telegraph office in order to obscure the meaning. One expression was clear, however, and that was: 'I shall start without fail to-morrow night.' It concluded with the words: 'Inform Dr. Wolff—distant cutting. He will understand.'

The words 'distant cutting' did not occur in any code-book. Dr. Jameson states that they were words privately agreed upon between him and Dr. Wolff. The telegram was shown to Dr. Wolff as soon as he could be found, but he declared himself unable to throw any light whatever upon it. It was however clear from the message that on Saturday afternoon it had been Dr. Jameson's intention to disregard the wishes of the Committee, and to start on Sunday night, and the telegram impressed the recipients more than ever with the wisdom of their action in sending the messengers to Capetown and to Pitsani to insist upon no further steps being taken. It is of little consequence what the words 'distant cutting' really meant, or whether they were, or should have been, understood by any of the parties. Major Heany and Captain Holden, it was known, could not have reached Dr. Jameson at the time the message was despatched, and therefore no more importance was attached to this than to the other impatient telegrams.

It was assumed that, on receiving the emphatic messages sent through Major Heany and Captain Holden, Dr. Jameson would realize the seriousness of the position, and would, in fact, abide by the arrangements made with him. Nor was this all. It was also clear that the telegram of Mr. Rhodes to which it was inferred reference was made in the concluding words of Messrs. Hamilton's and Leonard's wire—'Jameson has been advised accordingly'—could not have reached Dr. Jameson at the time his telegram to his brother was despatched. It was part of the instructions to Messrs. Hamilton and Leonard that any communications which they might desire to make to Dr. Jameson should pass through Mr. Cecil Rhodes in order to ensure due regard being paid to them. There was therefore no doubt in the minds of the Johannesburg men that during Saturday afternoon—that is to say, more than twenty-four hours before he proposed moving—he must have received a wire forbidding him to move.

The facts here given were sufficient to warrant the belief that all that was necessary had been done to prevent any movement. But more reassuring than all precautions was the conviction that Dr. Jameson, no matter how much he might 'bluff' in order to force immediate action, would never be guilty of so gross a breach of faith as to start in defiance of the wishes of the Johannesburg people. Extreme dissatisfaction of course prevailed in the minds of a good many when they learned of the efforts made by him to force their hands, and this feeling was intensified by the report brought in by Dr. Wolff, who had just returned from seeing Dr. Jameson at Pitsani. Dr. Wolff had arrived at Pitsani on the previous Tuesday, and was then greeted by Dr. Jameson with the remark that he had 'as nearly as possible started for Pretoria last night.' It was felt that this might appear to be a very fine and dashing thing for a party of men well armed and trained and able to take care of themselves, but that it betrayed great indifference to his pledges, as well as to the fate of his associates, who as he knew perfectly well had not even the arms to defend themselves from the consequences of any precipitate action on his part, and who had moreover the responsibility for the control and protection of unarmed Johannesburg.

The feeling among the Reformers on Sunday, the 29th, was one of considerable relief at having found out in time the intention of their reckless colleague, and at having taken the necessary steps to control him. Secure in the belief that the messages from Capetown had duly reached Dr. Jameson, and that either Major Heany or Captain Holden had by that time also reached him, and that in the future the management of their affairs would be left in their own hands, they continued during Sunday and Monday, the 29th and 30th, to arrange plans on the basis before indicated, awaiting in the meantime further communications from Messrs. Hamilton and Leonard.

In the meanwhile it became generally known in Johannesburg that some movement was afoot, and suppressed excitement and expectancy became everywhere manifest. On Saturday, December 28, the President returned from his annual tour through certain of the outlying districts. On his journey he was met by a number of burghers at Bronk-

horst Spruit, the scene of the battle in the War of Independence, about twenty miles from Pretoria. One of the burghers, an old Boer named Hans Botha, who was the opponent of Mr. Woolls-Sampson in the 'duel' at the battle of Zwartkoppies, in addressing the President, said that he had heard that there was some talk of a rising in Johannesburg, and added that although he had many bullets in him (it is stated that he still has five!), he could find room for more if it was a question of tackling the Britishers. The President replied that he had heard of the threatened rising, and did not believe it: he could not say what was likely to happen, but they must remember this—if they wanted to kill a tortoise they must wait until he put his head out of the shell.

In an interview with a representative of the press immediately after this the President said that the position was full of gravity and might lead to disagreeable consequences, especially to the mining industry and commercial enterprise generally; but he was still confident that common-sense would prevail in Johannesburg, and expressed the conviction that the law-abiding portion of the community, which included the greater part of the English and other nationalities, would support all measures for the preservation of law and order. He said that his endeavours hitherto to secure concessions for the Uitlander population had been frustrated by the public utterances and actions of irresponsible and unscrupulous agitators whose methods had often a detrimental effect on the Volksraad and on the burghers throughout the Republic. The first commotion created was by the flag incident some years before (1890), which caused a great shock to confidence; another sinister incident was the refusal of a portion of the British community to serve their adopted country in the Malaboch War, when the union of Boer and Briton against the common enemy was nearly brought about. 'If wiser counsels unfortunately should not prevail,' the President continued, 'then let the storm arise, and the wind thereof will separate the chaff from the grain. The Government will give every opportunity for free speech and free ventilation of grievances, but it is fully prepared to put a stop to any movement made for the upsetting of law and order.'

On the same day the President was interviewed by a

deputation of Americans from Johannesburg. They were men of the highest position and influence in the community and were earnestly desirous of securing reforms, but they were impressed with the idea that peaceful means had not yet been exhausted and that the President and his Executive would listen to reason if they were convinced that serious consequences would follow the neglect to reform. The President received them civilly, as he often does when he has a strong hand to play: it is generally when his cards are poor that he gives way to the paroxysms of rage and indulges in the personal abuse and violent behaviour which have earned for him so unenviable a reputation. He listened to all that had been advanced by the deputation, and then said that 'it was no time to talk when danger was at hand. That was the time for action.' The deputation represented to him that there was no danger at hand unless the President by his own act precipitated matters and caused the trouble himself, that matters were completely in his hands, and that if he would deal with the people in a liberal and statesmanlike way and grant the reforms which were universally acknowledged to be necessary there would not be anywhere in the world a more law-abiding and loyal community than that of Johannesburg. The President answered merely by the question: 'If a crisis should occur, on which side shall I find the Americans?' The answer was, 'On the side of liberty and good government.' The President replied, 'You are all alike, tarred with the same brush; you are British in your hearts.'

In reply to another deputation, representing a section of the community which was not by any means at one with the reformers, but the leading members of which still urged the necessity for reforms, the President said, 'Either you are with me in the last extremity or you are with the enemy; choose which course you will adopt. Call a meeting to repudiate the Manifesto in its entirety, or there is final rupture between us.' The gentlemen addressed declared emphatically that on the Manifesto there could be no retreat. On that Johannesburg was absolutely at one. The President replied, 'Then, I shall know how to deal with Johannesburg,' and left the room.

The various business associations of Johannesburg and

Pretoria approached the President at different hours in these threatening times, and did all that was possible to induce him to make reasonable concessions. Although numbers of his followers and counsellors were strongly in favour of doing something to avert the coming storm, the President himself seemed inclined to fight until the last ditch was reached rather than concede anything. In reply to the Mercantile Association he said that he was quite willing to give the franchise, but that it would be to those who were really worthy of it—those for instance who rallied round the Government in this crisis and took no part in the mischievous agitation and clamouring for so-called reforms: all malcontents should be excluded. In fact he made it perfectly plain that the franchise would be treated as a huge bribery fund; and he himself was introducing the thin end of the wedge in the suggestion made to the Association with a view to splitting up the Reform Party in Johannesburg. He however added that the special duties on food-stuffs would be immediately removed pending confirmation by the Volksraad, that equal subsidies would be granted to Dutch and English schools alike, and that the Netherlands Railway Company would be approached with a view to having the tariffs reduced. The effect of this was however slightly marred by the concluding sentence in which he stated that 'as he had kept his former promises, so he would do his best to keep this.'

In reply to a second deputation of Americans, the President in a moment of irritation said that it was impossible to grant the franchise to the Uitlander—American, British, or other; he would lose his power if he did; the Government would no longer be his. A member of the deputation said, 'Surely, if we take the oath of allegiance, you will trust us?' The President hesitated for a moment, and then said, 'This is no time to talk about these things; I can promise you nothing.

CHAPTER IV.

THE REFORM COMMITTEE.

ON Monday morning Mr. S. W. Jameson (a brother of Dr. Jameson, who, although suffering acutely from rheumatic fever, insisted on taking his share of the work and worry during the days that followed) received a telegram addressed to Dr. Wolff, in his care. The latter being away on Monday Mr. Jameson translated the telegram and showed it at once to as many of his comrades as he could find. It was from Dr. Jameson, despatched from Pitsani at 9.5 a.m. on Sunday, and ran as follows: 'Meet me as arranged before you left on Tuesday night which will enable us to decide which is best destination. Make Advocate Leonard speak—make cutting to-night without fail.'

Every effort was made to find Dr. Wolff, but he—in common with others—believing that there would be no move for a week, was away. This telegram was, to say the least of it, disquieting. It showed, so it was thought, that as late as Sunday morning Dr. Jameson could not have received the countermands by Messrs. Heany and Holden, and it indicated that it must have been a near thing stopping him before he actually crossed the border. As a matter of fact Major Heany reached Dr. Jameson at noon on Sunday; but Capt. Holden had arrived the night before.

Shortly after noon Mr. Abe Bailey received and showed to others a telegram purporting to come from 'Godolphin,' Capetown, to the following effect: 'The veterinary surgeon says the horses are now all right; he started with them last night; will reach you on Wednesday; he says he can back himself for seven hundred.' By the light of subsequent events the

telegram is easily interpreted, but as Mr. Bailey said he could not even guess who 'Godolphin' might be, the message remained a puzzle. That it had some reference to Dr. Jameson was at once guessed, indeed Mr. Bailey would not have shown it to others concerned in the movement did he not himself think so. The importance and significance of the message entirely depended upon who 'Godolphin' was, and it afterwards transpired that the sender was Dr. Rutherfoord Harris, who states that he took the first and safest means of conveying the news that Dr. Jameson had actually started in spite of all. Mysterious and unintelligible as it was the telegram caused the greatest uneasiness among the few who saw it, for it seemed to show that an unknown someone in Capetown was under the impression that Dr. Jameson had started. The Reformers however still rejected the idea that he would do anything so mad and preposterous, and above all they were convinced that had he started they would not be left to gather the fact from the ambiguous phrases of an unknown person.

All doubts however were set at rest when between four and half-past four on Monday afternoon Mr. A. L. Lawley came hurriedly into the room where several of the leaders were met, saying, 'It is all up, boys. He has started in spite of everything. Read this!' and at the same time throwing on the table the following telegram from Mafeking: 'The contractor has started on the earthworks with seven hundred boys; hopes to reach terminus on Wednesday.'

The Reformers realized perfectly well the full significance of Dr. Jameson's action; they realized that even if he succeeded in reaching Johannesburg, he, by taking the initiative, seriously impaired the justice of the Uitlanders' cause—indeed, put them hopelessly in the wrong. Apart from the moral or political aspects of the question there was the fact that, either through mistake or by fatuous impulse, Dr. Jameson had plunged them into a crisis for which as he knew they were insufficiently provided and prepared, and at the same time destroyed the one chance—the one certainty—on which they had always counted for arms and ammunition; by starting first he knocked out the foundation of the whole scheme—he made the taking of the Pretoria arsenal impossible.

For a few minutes it was hoped that the chance of taking the arsenal still remained; but while discussion was still proceeding and several of those present were protesting that the news could not be true (among them Mr. S. W. Jameson, who stoutly maintained that his brother would never start in defiance of his pledges), authentic news of the invasion was received from the Government offices; and this was supplemented a few minutes later by the information that the Government had known it at an early hour in the morning, and that Pretoria was then full of armed burghers. The position then appeared fairly desperate.

It is worth noting that even when Dr. Jameson decided to start in opposition to the Committee's wishes it was not deemed necessary to treat them with the candour which they were entitled to expect from a comrade. It is well known that Dr. Jameson never had 700 men, and that he started with less than 500, and yet the Reformers were led to understand from the telegrams above quoted that he was starting with 700, and not 800 as last promised. They were at first under the impression that the 700 men did not include the Bechuanaland Border Police who were to join him after starting, so that it was still thought that he had over 800 men.

Before five o'clock messengers had been sent out in all directions to call together those who had interested themselves in the movement, or as many of them as possible, for several prominent men knowing only of the steps taken to prevent any movement on the part of Dr. Jameson, were not at hand. As many as possible however gathered together, and it was decided to take instant steps to put the town in a state of defence. In order that the subsequent actions and attitude of the Reform Committee may be properly understood it is necessary to explain somewhat fully the position of affairs on this Monday evening.

As soon as it was realized that the news was beyond all doubt true the bitterest censure was expressed upon Dr. Jameson's action, and it was at first stated by many that either Dr. Jameson or Mr. Rhodes or both had deliberately and for the furtherance of their personal aims disregarded in treacherous and heartless fashion all their agreements. Soon however a calmer view was taken, and a consideration of all

the circumstances induced the Reformers to believe that Dr. Jameson had started in good faith, but under some misapprehension. They recalled the various reports that had been in circulation in the press about conflicts between the Boers and Uitlanders at the Simmer and Jack and Jumpers mines, the reported arrest of Mr. Lionel Phillips and the demand of £80,000 bail—rumours which had been treated by those on the spot as too ridiculous to gain credence anywhere, but which they nevertheless thought might have reached Dr. Jameson in such guise as to induce him to take the step which he had taken. It was assumed that the telegrams sent from Johannesburg and Capetown to stop him had not reached him, and that Messrs. Heany and Holden had also failed to catch him before he started. Opinions however were still divided as to whether he had simply lost patience and come in regardless of all consequences, or had been really misled and had dashed in to the assistance of Johannesburg. The position was at best one of horrible uncertainty, and divided as the Committee were in their opinions as to his motive they could only give him the benefit of the doubt and assume that there was behind his action no personal aim and no deliberate disregard of his undertakings. In order to realize the perplexity of the position it must be understood that only the few who happened to meet on Sunday and Monday morning knew of the telegrams which had passed during the previous twenty-four hours, many did not know of them until Pretoria prison gave them time to compare notes; to some they may be news even now. There was no time to argue then!

Knowing the poorness of the equipment of Johannesburg and the unpreparedness of the place and its inhabitants the more logical and cold-blooded course would have been to repudiate Dr. Jameson instantly and to have left him to his fate; but against this was firstly, the fact publicly admitted that he had remained on the border by arrangement with the leaders in order to help them should the necessity arise; next that if he gave heed to the reports which were being circulated he might have thought that the necessity had arisen; and finally, that the leaders had taken such steps in the smuggling in of arms and the arming of men as would

warrant the Boers, and indeed anybody else, in associating them with Dr. Jameson, so that they might confidently expect to be attacked as accomplices before the true facts could become known. They realized quite well that they had a big responsibility to the unarmed population of Johannesburg, and it was with the object of fulfilling that obligation that they decided to arm as many men as possible and to fortify and defend the place if attacked, but, in view of the impossibility of aggressive measures being successful, to take no initiative against the Boers. It would in any case have been entirely useless to suggest the repudiation of Dr. Jameson at that moment. The Johannesburg people would never have listened to such a suggestion, nor could anyone have been found to make it.

In view of the fact that the Reform Committee have been charged with the crime of plunging the country into civil war with a miserable equipment of less than 3,000 rifles, it is only fair to give some heed to the conditions as they were at the time and to consider whether any other course would have been practicable, and if practicable, whether it would have been in the interests of any considerable section of the community. To the Committee the course to be taken seemed perfectly clear. They determined to defend and hold the town. They threw off all disguise, got in all the arms they possibly could, organized the various military corps, and made arrangements for the maintenance of order in the town and on the mines. Throughout Monday night all were engaged in getting in arms and ammunition and doing all that could be done to enable the town to hold its own against possible attack.

During Monday night the Reform Committee came into existence. Those who had so far taken a prominent part in the agitation had been for convenience utilizing Colonel Rhodes' office in the Consolidated Goldfields Company's building. Many prominent men came forward voluntarily to associate themselves with the movement, and as the numbers increased and work had to be apportioned it became evident that some organization would be necessary. Those who had already taken part in the movement formed themselves into a committee, and many other prominent men joined immediately. The movement being an entirely public one

it was open for anyone to join provided he could secure the approval of the already elected members. The body so constituted was then called the Reform Committee.

The following is the first notice of the Reform Committee as published in the *Johannesburg Star;* and it indicates the position taken up:

> Notice is hereby given that this Committee adheres to the National Union manifesto, and reiterates its desire to maintain the independence of the Republic. The fact that rumours are in course of circulation to the effect that a force has crossed the Bechuanaland border renders it necessary to take active steps for the defence of Johannesburg and the preservation of order. The Committee earnestly desires that the inhabitants should refrain from taking any action which can be considered as an overt act of hostility against the Government.

Telegrams were sent to the High Commissioner and to the Premier of Cape Colony informing them that owing to the starting of Dr. Jameson with an armed force into the Transvaal Johannesburg had been placed in a position of extreme peril which they were utterly unprepared to guard against, and urging the High Commissioner to proceed immediately to Johannesburg in order to settle matters and prevent a civil war.

Sub-committees were at once appointed, partly chosen from members of the Reform Committee and partly from others who had interested themselves in the movement and had come forward to take part but had not actually joined the controlling body. The matters to be dealt with were: The policing of the town; the control of the natives thrown out of employment by the closing of the mines; the arrangements for the defence of the town; the commissariat for the men bearing arms and for others who were flocking into the town; the providing for the women and children who had been brought in from the mines and had neither food nor shelter. These matters were taken in hand on Tuesday morning, and before nightfall some 2,000 men had been supplied with arms; the Maxims had been brought in and placed in position on the hills surrounding the town; various corps had been formed; a commencement had been made in the throwing-up of earthworks around the town; and food-supplies and such field equipment as could be got together had been provided for the men. As regards the town, the

Government police having disappeared, it was necessary to take energetic steps to prevent actual chaos reigning. Ex-Chief Detective Trimble was appointed to organize a police force, and the work was admirably done. Before nightfall the Reform Committee's police had taken entire charge of the town, and from this time until the withdrawal of the Committee's police after the laying down of arms, perfect order was maintained—indeed, the town has never before or since been so efficiently controlled as during this period.

Numbers of the mines stopped work. In some cases the miners remained to protect the companies' property; in other cases the men came in and volunteered to carry arms in defence of the town. One of the most serious difficulties with which the Committee had to deal was that of supplying arms. There were under 3,000 rifles, and during the few days when the excitement was at its highest no less than 20,000 men came forward as volunteers and demanded to be armed. Not unnaturally a great deal of feeling was roused among these men against the Committee on account of their inability to arm them. It was believed for a long time that the Committee was wholly responsible for the incursion by Dr. Jameson; that they had precipitated matters without regard to the safety of the unarmed population, and had actually courted civil war with a paltry equipment of some 3,000 rifles. For several days a huge crowd surrounded the Committee's offices clamouring for guns. It is difficult to say what the feeling would have been and what would have been done had it been known then that there were less than 3,000 rifles. Not more than a dozen men knew the actual number, and they decided to take the responsibility of withholding this information, for they realized that panic and riot might ensue if it were known, whilst the only hope for a successful issue now lay in Johannesburg presenting a bold, confident, and united front.

All the well-known medical men in the town came forward at once, and organized and equipped an ambulance corps which within the day was in perfect working order.

Perhaps the most arduous task of all was that of the Commissariat Department, who were called upon to supply at a few hours' notice the men bearing arms in various positions

outside the town and the various depôts within the town which were organized for the relief of those who had flocked in unprovided for. It would have been impossible, except in a community where the great majority of men had been trained by the nature of their own business in the habit of organization, to cope with the difficulties which here presented themselves, and it is impossible to pay too high tribute to those who organized the relief of the women and children from the surrounding districts. Not less than 2,000 women and children were housed and fed on Tuesday night; offices were taken possession of in different parts of the town and converted into barracks, where sleeping accommodation was provided under excellent sanitary conditions; and abundance of food, as good as could be expected at an ordinary hotel, was supplied to these people who had come in expecting to sleep in the streets.

In order to carry into effect the scheme of relief above referred to it was found necessary to form what was called the Relief Committee. A fund was opened to provide this Committee with the necessary means, and members of the Reform Committee subscribed upwards of £80,000 within a few minutes of the opening of the lists.

The native liquor question also called for prompt and determined handling. A deputation from the Committee called upon the Landdrost, the official head of the Licensing Board, and requested the co-operation of the Government in dealing with this matter, and an order was obtained from him compulsorily closing the canteens until further notice. Armed with this the officials appointed by the Committee visited the various liquor-houses along the mines and gave due notice, with the further warning that if any breach of the new regulation took place it would be followed by the confiscation of the entire stock of liquor. The measure generally had a very salutary effect, but in the lowest quarters it was not sufficient. The Committee had realized in the very beginning that nothing but the removal of the liquor would prevent the Kaffir canteen-keepers from supplying the natives with drink, and patrols were accordingly sent out to seize the entire stock in those drinking-hells, to pay compensation at value agreed upon, and to destroy the

liquor. The step was no doubt a high-handed one, and before it was taken notice was given to the Government officials of the intention. The Committee were warned that this action could not be authorized by Government, as it was both high-handed and illegal, but they decided to take the responsibility upon themselves. It is not too much to say that there were fewer cases of drunkenness or violence reported during the period of trouble than during any other fortnight in the history of the place.

The following proclamation had been issued by the President at a very late hour on Monday night in Pretoria, and was received in Johannesburg on Tuesday morning:

PROCLAMATION BY HIS HONOUR THE STATE PRESIDENT OF THE SOUTH AFRICAN REPUBLIC.

Whereas it has appeared to the Government of the South African Republic that there are rumours in circulation to the effect that earnest endeavours are being made to endanger the public safety of Johannesburg, and whereas the Government is convinced that, in case such rumours may contain any truth, such endeavours can only emanate from a small portion of the inhabitants, and that the greater portion of the Johannesburg inhabitants are peaceful, and are prepared to support the Government in its endeavours to maintain law and order,

Now, know you that I, Stephanus Johannes Paulus Kruger, State President of the South African Republic, with the advice and consent of the Executive Council, according to Article 913 of its minutes, dated the 30th of December, 1895, do hereby warn those evil-intentioned persons (as I do hereby urge all such persons to do) to remain within the pale of the law, and all such persons not heeding this warning shall do so on their own responsibility; and I do further make known that life and property shall be protected against which attempts may be made, and that every peaceful inhabitant of Johannesburg, of whatsoever nationality he may be, is called upon to support me herein, and to assist the officials charged therewith; and further be it made known that the Government is still prepared to take into consideration all grievances that may be laid before it in a proper manner, and to submit the same to the people of the land without delay for treatment.

The Government in Pretoria were no doubt perfectly well aware of all that was going on; the Committee could not possibly observe any secrecy, nor did it appear desirable, since the position taken up and maintained by them to the end was that they were not responsible for Dr. Jameson's incursion and were simply prepared to defend the town against attack.

During the four or five days preceding this the evidences

of excitement in Johannesburg had been unmistakable, and on Saturday the 28th, the day before Dr. Jameson started, several prominent officials and two or three members of the Volksraad visited Johannesburg from Pretoria and openly discussed the seriousness of the position. At that time they were strongly of opinion that the Government had brought the trouble on themselves by their wrong-headed and corrupt action. The visitors were men who although officially associated with the Government were not at all in sympathy with the policy of the Krugerite party, and they were sincerely anxious for a peaceful settlement and desirous of liberal reforms, but their influence with the Government was nil. Unfortunately it has always been the case that intelligent and upright men associated with the Pretoria Government (and there are some as bright examples as can be found in any country) never have, and never will have, any weight with the party now dominating the State. Their services are not used as they might be, and their counsels are not regarded as they should be in times when they would be of value; in fact, it would seem that they are only used when it appears to Mr. Kruger and his party that they present opportunities for playing upon the credulity of the Uitlanders with whose progressive notions they are known to be in sympathy. It is unnecessary to say that these gentlemen do not consciously take part in the deception which is practised, but it is nevertheless a fact that whenever the Pretoria clique desire to trail the red herring they do it by the employment in seeming good faith of one or other of those gentlemen whose character and sympathies entitle them to the respect and confidence of the Uitlander.

On Tuesday Mr. Eugene Marais, the editor of the leading Dutch paper *Land en Volk*, a gentleman who has worked consistently and honourably both for his people, the Transvaal Dutch, and for the cause of pure and enlightened government, visited Johannesburg, being convinced that there was serious trouble in store for the country unless prompt and decisive steps were taken to remedy the conditions under which the Rand community were suffering. No one in the country has fought harder against the abuses which exist in Pretoria nor has anyone risked more, nor yet

is there a more loyal champion of the Boer; and Mr. Marais, having on his own initiative investigated the condition of affairs in Johannesburg and reported the result to some of the leading members of the Government, telegraphed to a member of the Committee on Tuesday morning beseeching that body to make a strenuous effort to avert bloodshed, using the words, 'For God's sake, let us meet and settle things like men!' and further stating that he and Mr. Malan, son-in-law of General Joubert, were bringing over a message from the Government, and that he hoped the Committee would meet them in a reasonable spirit.

A full meeting of the Committee was at once called to receive the two delegates. The meeting took place at 9 p.m. and lasted until 12 p.m. on Tuesday night. Mr. Marais's evidence during the course of the trial detailed the events which led up to this meeting. He stated that in consequence of what he had observed in Johannesburg on Monday and Tuesday he returned to Pretoria, convinced that unless something was done by Government to relieve the position there would most inevitably be a civil war. He reported the condition of things to General Joubert, who deemed it of sufficient importance to have the matter brought before the Executive. Messrs. Marais and Malan were thereupon received by the Executive and authorized to meet the Reform Committee on behalf of the Government. With reference to the now famous 'olive branch' phrase, Mr. Marais states that the expression was first used by a member of the Committee in Johannesburg on Tuesday morning. The condition of things was being discussed and this member commented severely upon the action of the Government. Mr. Marais urged that things were not so bad as to justify a determined attempt to provoke civil war, and stated that he believed that the excitement prevailing would convince the Government that they had now gone too far and that when they realized the seriousness of the position they would be willing to make proper concessions, and he said in conclusion that the people of Johannesburg, if they were as good as their professions and desired reform and not revolution, would even at the eleventh hour be willing to meet the Government. The member of the Reform Committee replied that this was undoubtedly the attitude of the

Johannesburg people, but that it was absolutely useless to keep on patiently waiting for the fulfilment of promises which were only made to be broken; that if Johannesburg had any evidence that the Government meant honestly by them they would of course treat and endeavour to avert bloodshed; that the Uitlanders had so far always offered the olive branch and sought to establish harmony. That however was all over, and let the Government now take the first steps if they were in earnest.

Mr. Marais reported the whole of this conversation to the Executive Council and, upon his making use of the expression 'olive branch,' the President exclaimed excitedly, 'What are they talking about? What is an olive branch?' When this was explained to him he nodded and said, 'Yes, that is what we will do,' and Mr. Wolmarans another member of the Executive exclaimed, 'Go back to the Johannesburg people and tell them that we have already offered the olive branch by voluntarily withdrawing our police from the town in order to avoid conflict, thus leaving them in entire possession. It is for them to say whether they will accept it.'

The meeting at which Messrs. Marais and Malan were commissioned to negotiate with the Johannesburg people was, with the exception of General Smit (then dying and since dead), attended by every member of the Executive Council, and there is no truth in the suggestion made on behalf of the Government that it was an informal meeting of a few men who were not acting on behalf of the State, nor is there any justification for the statement made by Judge Ameshof in the witness-box that Messrs. Marais and Malan were not officially authorized to negotiate with the Reform Committee.

Messrs. Marais and Malan met the Reform Committee in the general committee-room, and both gentlemen addressed the meeting several times, going fully into the grievances complained of by the Uitlanders and explaining very fully the position of the Government and their attitude during the meeting of the Executive Council which they had been called upon to attend. They stated that they had been sent by a full meeting of the Executive to ask the Reform Committee to send a deputation to Pretoria in order to meet a Com-

mission to be appointed by Government with a view to effecting a peaceful settlement and the redress of grievances; that the Commission would consist of Chief Justice Kotzé, Judge Ameshof, and another, probably a member of the Executive Council; that the Government were willing to consider and redress the grievances, and were, above all things, anxious to avoid conflict with their own subjects.

Then came the much-quoted expression: 'We come in fact to offer you the olive branch; it is for you to say if you will take it; if you are sincere in your professions, you will.' A great deal of discussion took place, many members of the Committee maintaining that, although they placed full confidence in the gentlemen who had been sent by Government, they were nevertheless convinced that there was treachery at the bottom of it, and they stated in plain language what has become more or less an article of faith with the Uitlander: 'Whenever the Government are earnestly intent upon deceiving us they select emissaries in whose character and good faith we have complete trust, and by deceiving them ensure that we shall be misled.' Both gentlemen repeatedly assured the meeting that the Government were most anxious to remove the causes of discontent, and stated moreover that Johannesburg would get practically all that was asked for in the Manifesto. When asked what was meant by 'practically all,' they explained that there would be some minor points of course on which Johannesburg would have to give way in order to meet the Government, as their position was also a very difficult one, and there were in particular two matters on which there would be some difficulty, but by no means insurmountable. When asked if the two matters were the removal of religious disabilities and the franchise, one of the two gentlemen replied that he had been told that there would be some difficulty on these two points, but that they were quite open to discussion as to the details and he was convinced that there would surely be a means of coming to an understanding by compromise even on these two. Messrs. Marais and Malan also informed the meeting that the High Commissioner had issued a proclamation calling upon Dr. Jameson to desist from the invasion and to return to British territory at once; that the proclamation had been

duly forwarded to him from several points; and that there was no doubt that he would turn back. Messrs. Marais and Malan both stated that they were themselves proceeding with the commando against Dr. Jameson should he fail to obey the High Commissioner's mandate, and stated also that although they were making every effort that was humanly possible to avert conflict it must be clearly understood that if from the unreasonable action of Johannesburg fighting took place between the Government forces and a revolutionary force from Johannesburg, they as in duty bound would fight for their Government, and that in the Government ranks would be found those men who had been the most arduous workers in the cause of reform. They were assured that there was no such feeling as desire for revenge actuating the people who had taken up arms, that it was simply a desire for fair treatment and decent government, that the present demand was what had been already detailed in the Manifesto, and that the Committee stood by that document, but would nevertheless accept as sufficient for the time being any reasonable proportion of the redress demanded.

In spite of differences as to the motives of the Government in holding out the olive branch it was decided unanimously that the request as conveyed by Messrs. Marais and Malan should be complied with, and that a deputation should be sent over early on the following morning to meet the Government Commission. Under the circumstances it was quite useless to discuss whether the Government designed these negotiations merely as a ruse in order to gain time, or whether they were actually dealing with the Committee in good faith and intending to effect the redress promised. At that time Johannesburg itself had not been protected by earthworks, and the unpacking of the Maxims and rifles had only just been completed. Throughout Tuesday night and Wednesday earthworks were being thrown up, and every effort was being directed towards placing the town in a state of defence.

CHAPTER V.

THE COMMITTEE'S DILEMMA.

WITH the best will in the world it would have been quite impossible to render any assistance to Dr. Jameson's forces, but apart from this there never was the slightest doubt of his ability to get into Johannesburg without assistance should he decide to attempt it. In conversation with the leaders of the movement he had always scouted the idea of requiring assistance from Johannesburg, nor would anyone have believed that with a well-equipped and perfectly trained force of 800 men (as it was believed he had) it was possible for the Boers to get together a force sufficiently strong to stop him in his dash on Johannesburg.

In the absence of Mr. Charles Leonard, who had been recognized as the leader of the movement, Mr. Lionel Phillips was elected Chairman of the Reform Committee, and he and Messrs. J. G. Auret, A. Bailey, and M. Langermann were chosen as the Committee's deputation to proceed to Pretoria and meet the Commission appointed by the Government. They left at an early hour on Wednesday morning, and were given practically a free hand to act on behalf of the Reform Committee. The position having been so thoroughly discussed there was no possibility of misunderstanding; there was no division in the Committee as to the attitude to be taken up. The deputation were to negotiate with the Government for a peaceful settlement on the basis of the Manifesto, accepting what they might consider to be a reasonable instalment of the reforms demanded. They were to deal with the Government in a conciliatory spirit and to avoid all provocation to civil strife, but at the same time to

insist upon the recognition of rights and the redress of the grievances, to avow the association with Dr. Jameson's forces so far as it had existed, and to include him in any settlement that might be made. It was impossible to lay down any definite lines on which to negotiate on behalf of Dr. Jameson, as the Reform Committee were still in complete ignorance of his reasons for starting; but it was considered fairer and more reasonable to assume that he had started in good faith and that the two messengers who had been sent to stop him had not reached him, and to act accordingly. However awkward a predicament he had placed the Johannesburg people in, they accepted a certain moral responsibility for him and his actions and decided to make his safety the first consideration.

Late on Tuesday night the Collector of Customs at Johannesburg informed members of the Reform Committee that he had received a telegraphic despatch from the Pretoria head office notifying the suspension of all duties on various articles of food. It will be remembered that this relief was prayed for by the representative bodies of mining and commerce on the Rand several weeks before the outbreak and that the Government had replied that they were unable during the recess to deal with the matter as the legislative power and the power of levying and remitting duties had been taken from the Executive by the Volksraad some time previously. It will also be remembered that the Government acted on this hint as to the necessities of the community in a wholly unexpected way by granting a monopoly for the free importation of grain to a favoured individual of their party in Pretoria. It is not wonderful therefore that the notification conveyed by the Collector of Customs was received with considerable derision, and the opinion was expressed that it would have redounded more to the credit of the Government's honesty and intelligence had they remitted the duties when first petitioned instead of doing so at the last moment hastily and ungracefully—so to speak, at the point of the bayonet.

On Wednesday morning, whilst the deputation were engaged in negotiations with the Government Commission, a telegram was received by the Reform Committee in

Johannesburg from Sir Jacobus de Wet, the British agent, conveying the following proclamation of the High Commissioner:

Whereas it has come to my knowledge that certain British subjects, said to be under the leadership of Dr. Jameson, have violated the territory of the South African Republic, and have cut telegraph-wires, and done various other illegal acts; and whereas the South African Republic is a friendly State, in amity with Her Majesty's Government; and whereas it is my desire to respect the independence of the said State;

Now, therefore, I hereby command the said Dr. Jameson and all persons accompanying him to immediately retire from the territory of the South African Republic, on pain of the penalties attached to their illegal proceedings; and I do further hereby call upon all British subjects in the South African Republic to abstain from giving the said Dr. Jameson any countenance or assistance in his armed violation of the territory of a friendly State.

A reply was immediately sent to the British Agent stating that the Reform Committee were not aware of the reasons which prompted Dr. Jameson to start, but that as he was coming to their assistance, presumably in good faith, they felt morally bound to provide for him, and they therefore urged the British Agent most strongly to spare no effort in forwarding the proclamation to Dr. Jameson so that he might be aware of the action taken by the Imperial Government and might turn back before any conflict should take place between his and the Boer forces. The Committee offered to forward the despatch themselves if facilities of passport were given.

A full meeting of the Committee was immediately convened in order to consider this new complication of the case, and the following telegram was approved and sent at 11.15 a.m., addressed to the Deputation of the Reform Committee, care of Her Majesty's Agent, Pretoria:

Meeting has been held since you started to consider telegram from British Agent, and it was unanimously resolved to authorize you to make following offer to Government. Begins: 'In order to avert bloodshed on grounds of Dr. Jameson's action, if Government will allow Dr. Jameson to come in unmolested, the Committee will guarantee with their persons if necessary that he shall leave again peacefully within as little delay as possible.'[1]

[1] The telegram originally read 'within twenty-four hours,' but it was considered impossible to guarantee the time exactly, and the alteration as above given was made, the word 'within' being inadvertently left standing instead of 'with.'

The Committee well realized the fatal results of Dr. Jameson's invasion under the circumstances, and much as their position had been injured and complicated by his action, it was felt that it would still be better to get rid of the foreign element which he represented and to fight the battle out under such conditions as might arise without any assistance than to let things go from bad to worse through further action on Dr. Jameson's part.

No reply had been received from the High Commissioner to the telegrams urging him to come up in person. Mr. Cecil Rhodes had telegraphed that he was urgently pressing the High Commissioner to come, but that he had received no assurances as yet from him. During Wednesday Messrs. Leonard and Hamilton telegraphed that the former had seen the High Commissioner, who had declined to move unless invited by the other side; they were using every effort to induce him to move but no reliance could be placed upon him. They further advised that in their strong opinion a reasonable compromise should be effected, and that it was most vital to avoid offence. Mr. F. H. Hamilton, who was one of the first associated with the movement, finding then that nothing more could be done and feeling that his proper place was with his comrades, refused to remain longer and returned to Johannesburg, arriving there after Dr. Jameson's surrender.

Two and a half days had now elapsed since Dr. Jameson started, and the Committee were still without word or sign from him as to his having started or the reason which prompted him to do so. None knew better than Dr. Jameson himself the difficulties and magnitude of the task which he had set the Reform Committee when he struck his camp at Pitsani and marched into the Transvaal. None knew better than he that with the best luck and all the will and energy in the world it would hardly be possible to do as much as place the town in a position of defence. Every hour some explanation or some message was expected from him, something to throw a little light on his action; but nothing ever came, and the Committee were left to act in the dark as their judgment or good fortune might lead them.

The deputation which had been sent to Pretoria met the

Government Commission at noon on Wednesday. The Commission consisted of Chief Justice Kotzé (Chairman), Judge Ameshof, and Executive Member Kock. There was a Government shorthand clerk present. Before the business of the meeting was gone into, at the request of the Chief Justice the deputation consented to minutes of the interview being taken, remarking that as they were dealing with the Government in good faith they had nothing to conceal. It may be well to mention that at the meeting of Messrs. Malan and Marais with the Reform Committee the question was raised as to the attitude of the Government towards the deputation which it was suggested should be sent to Pretoria. Someone remarked that the Government were quite capable of inducing the deputation to go to Pretoria, having them arrested as soon as they got there, and holding them as hostages. Messrs. Marais and Malan both scouted the idea and stated positively that the Executive Council had formally acknowledged to them that they were negotiating with the Reform Committee in good faith, and that negotiations would of course be carried on in a decent manner as between two civilized parties in arms. These little incidents have a peculiar interest now in view of the treachery practised by the Government by means of the negotiations with the deputation.

Mr. Lionel Phillips as spokesman detailed at length the position of affairs in Johannesburg, citing the grievances and disabilities under which the Uitlander population existed. He pointed out that year after year the Uitlanders had been begging and petitioning for redress of these grievances, for some amelioration of their condition, for fair and uniform treatment of all the white subjects of the State, and for some representation in the Legislature of the country, as they were entitled by their numbers and their work and their property to have; yet not only had a deaf ear been turned to all their petitions, but the conditions were actually aggravated year by year and, instead of obtaining relief, there was a marked increase in the burdens and disabilities imposed. He informed the Commission that the Manifesto fairly represented the views of the Reform Committee and the people of Johannesburg; that, whilst they were determined to have

their rights, they recognised that it might not be possible to obtain complete redress at once, and they were prepared to accept what they might consider a reasonable instalment of redress. He stated that Dr. Jameson had remained on the borders of the Transvaal with an armed force by a written arrangement with certain of the leaders, and that he was there to render active assistance should the community be driven to extremes and require his assistance; but as to his present action the Committee could throw no further light upon it, as they were in ignorance of his reason for starting; they could only assume that he had done so in good faith, probably misled by rumours of trouble in Johannesburg which he thought he had sufficient reason to believe. He added that so far from being invited by the Committee, messengers had actually been sent to prevent him from moving, but that it was not known to the Committee if these messengers had reached him or if the telegrams which had been sent with a like purpose had ever been delivered to him, and that consequently the Committee preferred to believe that he had come in in good faith and thinking the community to be in dire need, and for this reason the people of Johannesburg were resolved to stand by him.

In the course of the discussion, Executive Member Kock remarked: 'If you have erected fortifications and have taken up arms, you are nothing but rebels.' Mr. Phillips replied: 'You can call us rebels if you like. All we want is justice, decent treatment, and honest government; that is what we have come to ask of you.' Mr. Kock thereupon remarked that the deputation spoke as though they represented Johannesburg, whereas for all the Government knew the Reform Committee might be but a few individuals of no influence; and he asked if they could be informed as to who constituted that body. The deputation gave certain names from memory and offered to telegraph for a full list. The reply came in time to be handed to the Government and it constituted the sole piece of evidence ever obtained as to who were members of the Reform Committee. After hearing the statement of Mr. Phillips the Chief Justice informed the deputation that the Commission were not

empowered to arrange terms, but were merely authorized to hear what the deputation had to say, to ascertain their grievances and the proposed remedies, and to report this discussion to the Government. Taking up certain points referred to by Mr. Phillips, the Chief Justice asked whether the Johannesburg people would consent to lay down their arms if the Government granted practically all the reforms that were asked. Mr. Phillips replied in the affirmative, adding that after enfranchisement the community would naturally be privileged to take up arms again as burghers of the State. The Chief Justice asked on what lines it was proposed that the franchise should be granted. The deputation replied that the community would be quite content if the Government would accept the principle, leaving the settlement of details to a Commission of three persons—one to be appointed by each party, and the third to be mutually agreed upon.

The meeting was adjourned at noon until 5 p.m., and in the meantime the deputation telegraphed to the Reform Committee in Johannesburg the substance of what had taken place, stating among other things that they had explained the arrangements with Dr. Jameson. That such a message should be sent through the Government telegraph-office at a time when every telegram was read for the purpose of obtaining information as to what was on foot is further proof (if proof be needed) that the 'revelations' as to the connection between Dr. Jameson and the Reformers, which were brought out with theatrical effect later on, were not by any means a startling surprise to the Government, and were in fact well known to them in all essential details before the first encounter between the Boers and Dr. Jameson had taken place. The significance of this fact in its bearing upon Dr. Jameson's surrender and the after-treatment of the Reform prisoners should not be lost sight of.

The adjourned meeting between the Government Commission and the Reform Committee deputation took place at 5 p.m., when the Chief Justice intimated to the deputation that they had reported to a full meeting of the Executive Council all that had taken place at the morning meeting and that the Executive had authorized them to hand to

the deputation in answer a resolution, the substance of which is given hereunder:

> The High Commissioner has offered his services with a view to a peaceful settlement. The Government of the South African Republic have accepted his offer. Pending his arrival, no hostile step will be taken against Johannesburg provided Johannesburg takes no hostile step against the Government. In terms of a certain proclamation recently issued by the State President the grievances will be earnestly considered.

It is impossible to give the exact wording of the minute because the original document was inadvertently destroyed and all applications to Government for a copy were met at first by evasions and finally by point-blank refusal. The document was required as evidence in the trial of the Reform prisoners and every effort was made to secure an exact copy. As a last resource the above version, as sworn to by a number of men who had seen the original document, was put in. The Government were informed that if a true copy of the original resolution as recorded in the Minute Book of the Executive Council were not supplied for the purposes of evidence in the trial the prisoners would hand in the version given above. No reply was received to this, and the State Attorney acting on behalf of the Government admitted the version here given in the statement put in by the prisoners. It is clear therefore that if this version errs in any respect it cannot at all events be to the disadvantage of the Government or they would assuredly have objected to it and have produced the resolution itself.

On receipt of the above resolution the deputation inquired whether this offer of the Government's was intended to include Dr. Jameson. The Chief Justice replied that the Government declined to treat about him as he was a foreign invader and would have to be turned out of the country. The deputation thereupon handed in the telegram from the Reform Committee, already quoted, offering their persons as security, and pointed out that this was the most earnest and substantial guarantee that it was possible to offer that the Committee had not invited Dr. Jameson and had no desire to destroy the independence of the State. The Commission in reply stated that the proclamation of the High

Commissioner was being forwarded to Dr. Jameson from various quarters, and that he would inevitably be stopped. In reply to the statement by the deputation that they were not empowered to accept terms which did not explicitly include Dr. Jameson but would report to headquarters and reply later on, the Chief Justice stated that the Government required no answer to the resolution handed to them. This was in fact *their* answer, and if the people of Johannesburg observed the conditions mentioned therein there would be no further trouble, but if they disregarded them they would be held responsible for whatever followed. The deputation returned to Johannesburg fully convinced that the grievances would be redressed and a peaceful settlement arrived at through the mediation of the High Commissioner, and that Dr. Jameson would inevitably obey the latter's proclamation and leave the country peacefully on ascertaining that there was no necessity for his intervention on behalf of the Uitlanders.

Not only did the Government supply the deputation with the minute in writing already quoted, but they also instructed the local officers of Johannesburg to make public their decision to avail themselves of Sir Hercules Robinson's services. It will be observed that the notification published in Johannesburg is not so full as the Executive minute handed to the deputation in Pretoria, but the spirit in which it was given and accepted is shown by the following notice issued by the Reform Committee embodying the official statement:

REFORM COMMITTEE.

NOTICE.

The Government have handed us a written reply this afternoon (January 1), stating they have agreed to accept the offer of the High Commissioner to go to Pretoria to assist the Government in preventing bloodshed, and then the representations of the Committee will be taken into serious consideration. The communication referred to is as follows:

'The Government of the South African Republic have accepted the offer of the High Commissioner to come to Pretoria.

(Signed) J. L. VAN DER MERWE, *Mining Commissioner.*
J. F. DE BEER, *Judicial Commissioner.*
CARL JEPPE, *Member of the First Volksraad, Johannesburg.*
A. H. BLECKSLEY, *Commandant Volunteers.*

Desirous as the Committee has always been to obtain its objects without the shedding of blood and incurring the horrors of civil war, the opportunity of achieving its aims by peaceful means is welcome.

The Reform Committee desires that the public will aid them with the loyalty and enthusiasm which they have shown so far in the maintenance of its organization, and will stand firm in the cause of law and order and the establishment of their rights.

By order of the Committee.

This notice was published in the local press, and also distributed as a leaflet in Johannesburg.

More than this! At one o'clock on Wednesday President Kruger had sent for Sir Jacobus de Wet and requested him to transmit to the Reform Committee the following message: 'I desire again to invite your serious attention to the fact that negotiations are going on between Mr. Chamberlain and His Honour the President. I am convinced the Government is prepared to meet any committee or deputation at any time to discuss matters. In view of this and of negotiations with Mr. Chamberlain I advise you to follow a constitutional course.' That telegram was framed at President Kruger's request and approved by him before being transmitted.

A great deal has been said about the impolicy, and even the bad faith, of the Johannesburg people in concluding an armistice which did not include Dr. Jameson. From the above account it is clear in the first place that every effort was made to provide for his safety, and in the next place that no armistice was concluded. Certain terms were offered by the Government which it was open to the Committee to either accept or reject or ignore, as they might decide later on. In plain English, the Committee were as free after the negotiations as they had been before. They gave no undertaking to abstain from hostile action; they simply received the offer of the Government. Whether they complied with those conditions as a matter of cold-blooded selfish policy, whether they simply selected an easy way out of a difficult position, or whether they complied with the conditions solely because they were not in a position to do anything else, it is open to every man to decide for himself; but it does not seem fair, in face of the fact that they were *not* able to do anything else, to impute the worst motives of all for the course which they eventually took.

On the return of the deputation to Johannesburg a report of what had taken place was given to a full meeting of the Reform Committee. Divers opinions were expressed as to what was the right course to take, but eventually all were agreed that, as the first duty of the Committee was undoubtedly to protect the town and the unarmed section of the community, as they could not afford to send a single man out of the place, as there was no reason to suppose that Dr. Jameson required or would welcome any assistance, and as it seemed certain that he would be stopped by the High Commissioner's proclamation and turned back, it would be nothing short of criminal madness to adopt any aggressive measures at that stage.

It does not appear to have occurred to many of the hostile critics of the Reform Committee to consider what might have happened when they are judging what actually took place. Dr. Jameson had invaded the country with less than 500 men. It must be clear from this that it was not his intention to conquer the Transvaal. It must have been and indeed it was his idea that it would be impossible for the Imperial Government to stand passively by and witness the struggle between its own subjects preferring legitimate and moderate claims and a corrupt and incompetent Boer Government. Intervention of one sort or another he certainly expected —either material help in the shape of British troops, or the intervention of the High Commissioner to effect a peaceful settlement. By the false step which evoked the High Commissioner's proclamation he had forfeited all claim to the support on which he reckoned. It was reasonable to suppose therefore that, on the receipt of the proclamation ordering him to return and calling on all British subjects to abstain from assisting him, he would realize the consequences of his mistake. He would also learn from the Reform Committee's messengers (that is, assuming that he did not know it already) that the Johannesburg people neither required nor wished for his intervention, and he would elect to leave the country in accordance with the High Commissioner's mandate rather than continue a course which, with the opposition of the British Government added to that of the Boer Government, must inevitably end in disgrace and disaster. This was the

conclusion arrived at in the Reform Committee room; and it was then considered what would be the position of the Johannesburg people if, in defiance of the High Commissioner's proclamation and in violation of the terms offered by the Transvaal Government, they should adopt aggressive and wholly futile measures in aid of Dr. Jameson, only to find that he himself had obeyed the proclamation and had turned back.

No man in his senses would have anticipated Dr. Jameson's continuing his march after receipt of the proclamation and full information as to the wishes and position of the Johannesburg people. But, apart from this, it was the opinion of military men, such as Colonel Heyman, who had been sent in by Dr. Jameson, and who were present at the meetings of the Reform Committee, that it would not be possible for the Boers to stop him, and that it would require a very large force indeed to cope with a body of men so well trained, well equipped, and well led as his were thought to be. It would moreover need extraordinary luck and management on the Boers' side to get together any considerable force in time to intercept him before he should reach Johannesburg. It may be added that the opinion expressed by these gentlemen is still adhered to. They say that, properly led, Jameson's force should have got in without firing a shot, and that, properly handled, they should not have been stopped by a much greater number of Boers. However this is as it may be.

It has been stated, and the statement has gained considerable credence, that the very train which brought the deputation back to Johannesburg after their negotiations with the Government also brought a detachment of the State artillery with field-pieces and a plentiful supply of ammunition to reinforce the Boers, who were then in position to intercept Dr. Jameson, and it has further been suggested that the obvious course for the Reform Committee to have taken was to break up the line and to stop trains passing out towards Krugersdorp, also to seize the telegraph and railway offices. Such action would have been perfectly futile. As a matter of fact the artillery and ammunition were sent direct from Pretoria by waggon, and not through

Johannesburg at all.[1] Any such action as the seizing of the telegraph and railway offices would have been useless in itself, if intended to aid Jameson's force, and would of course have been a declaration of war on the part of the Committee against the Transvaal Government, a declaration which they were not able to back up by any effective measures. A partially successful attempt was made to blow up the line between Johannesburg and Krugersdorp by individuals who thought that they would be rendering a service to the cause, and who did not stop to calculate the full effects of their action.

During the afternoon of Wednesday, while the deputation were still engaged in negotiation with the Government Commission, the messenger despatched by Sir Jacobus de Wet, British Agent in Pretoria, to deliver the High Commissioner's proclamation to Dr. Jameson, arrived in Johannesburg, and applied at the Reform Committee rooms for an escort through the lines of defence, showing at the same time the passport given him by the Commandant-General to pass him through the Boer lines. It was immediately decided to take advantage of the opportunity in order to bring further pressure to bear upon Dr. Jameson to induce him to leave the country peacefully, and to make finally and absolutely sure that he should realize the true position of affairs. Mr. J. J. Lace, a member of the Reform Committee, volunteered to accompany the messenger to explain to Dr. Jameson the state of affairs in Johannesburg and to induce him to return while there was yet a chance of retrieving the position. On the return of the deputation this action of the rest of the Committee s cordially approved and was found to be in entire accord with the attitude taken up by them in their dealings with the Government.

If any evidence were needed as to the sincerity and singleness of purpose of the Committee, the action taken by the deputation in Pretoria and the rest of the Committee in

[1] Captain Ferreira, at one time in command of the guard over the Reformers, informed the writer that he had formed one of the cavalry escort. 'It is a good story,' he said, 'but what fools we would have been to send our guns shut up in trucks through a hostile camp of 20,000 armed men—as we thought—round two sides of a triangle instead of going by the shorter and safe road.'

Johannesburg, whilst acting independently of each other and without any opportunity of discussing matters and deciding upon a common line, should be sufficient. If the Committee as a whole had not been following an honest and clearly-defined policy they would have inevitably come to grief under such trying circumstances As a matter of fact, the steps taken during Wednesday by the two sections acting independently were wholly in accord.

In the course of the day it became known that Dr. Jameson had caused to be published the letter of invitation quoted in another chapter, and from this it was clear to those who knew the circumstances under which the letter was given that he had deliberately started in violation of the agreement entered into, that he had thrown discretion to the winds, and decided to force the hands of the Johannesburg people. The result of this was that among the leaders it was realized that Dr. Jameson was playing his own hand with complete indifference to the consequences for others; but the vast majority of the Rand community could not possibly realize this, and were firmly convinced that the invading force had come in in good faith, believing the community to be in extreme peril.

In sensational matters of this kind it is very often the case that a single phrase will illustrate the position more aptly than chapters of description. It is unfortunately also the case that phrases are used and catch the ear and survive the circumstances of the time, carrying with them meanings which they were never intended to convey. In the course of the events which took place in the early part of the year many such expressions were seized on and continually quoted. Among them, and belonging to the second description above referred to, is the phrase 'Stand by Jameson.' It was never used in the sense of sending out an armed force to the assistance of Dr. Jameson, because it was recognized from the beginning that such a course was not within the range of possibility. The phrase was first used in the Executive Council Chamber when the deputation from the Reform Committee met the Government Commission and Mr. Lionel Phillips explained the nature of the connection between the Johannesburg people and the invading force. After showing that the Rand community were not responsible for

his immediate action, and after acknowledging that he was on the border with the intention of rendering assistance if it should be necessary, he said that the Uitlanders nevertheless believed that, owing to circumstances of which they were ignorant, Dr. Jameson had started in absolute good faith to come to their assistance, and for that reason they were determined to stand by him. For that reason they offered their persons as security for his peaceful evacuation of the country—a course which was then, and is still, deemed to be 'standing by him' in as effective and practical a manner as it was possible for men in their position to do.

The reproach levelled at the Reform Committee by members of the Transvaal Government ever since the surrender of Dr. Jameson is that, whilst professing not to support hostile action against the State, and whilst avowing loyalty to the Republic, the people of Johannesburg did not give the logical and practical proof of such loyalty that the Government were entitled to expect; that is, they did not take up arms to fight against the invaders. It is scarcely necessary to say that such a preposterous idea never entered the minds of any of the Uitlanders. When all is said and done, blood is thicker than water, alike with the Uitlanders as with the Boers. The Boers have shown on many occasions that they elect to side with their kin on the promptings of their heart rather than support those whom their judgment shows them to be worthy of their assistance. Had the Uitlanders been sufficiently armed there can be no question that rightly or wrongly they would have sided with Jameson, and would have given him effective support had they known that he needed it. Had he ever reached Johannesburg the enthusiasm would have been wild and unbounded, and, however much the cooler heads among the community might realize that such a partial success might have proved a more serious misfortune than the total failure has been, no such considerations would have weighed with the community in general; and the men who were aiming at practical and lasting good results, rather than cultivating popular enthusiasm, would have been swept aside, and others, more in accord with the humour of the moment, would have taken their places.

It is useless to speculate as to what would have happened

had Dr. Jameson reached Johannesburg. The prestige of success might have enabled him, as it has enabled many others, to achieve the apparently impossible and compel the acceptance of terms which would have insured a lasting peace; but as Johannesburg had neither arms nor ammunition, especially the latter, commensurate with the requirements of anything like severe fighting, even for a single day, and as the invading force had not more than enough for its own requirements, it is difficult to conceive that anything but disaster could have followed.

Throughout the troubles which followed the invasion it was not the personal suffering or loss which fell to the lot of the Johannesburg people that touched them so nearly as the taunts which were unjustly levelled at them for not rendering assistance to Dr. Jameson. The terms, 'cowards,' 'poltroons,' and 'traitors,' and the name of 'Judasburg,' absolutely undeserved as they were known to be, rankled in the hearts of all, and it was only by the exercise of much self-denial and restraint that it was possible for men to remain silent during the period preceding Dr. Jameson's trial. Extremely bitter feeling was roused by the tacit approval given to these censures by the officers of the invading force, for their continued silence was naturally construed to be tacit approval. 'Not once,' said one of the Reformers, 'has a single member of Dr. Jameson's party come forward and stated that the imputations on the Reformers were undeserved; yet we gave them the benefit of every doubt, and tried throughout to screen them, whilst all the time the Doctor and at least three of his companions knew that they had started to "make their own flotation." That is not cricket.'

It has been urged on behalf of Dr. Jameson that he could not have been asked to state prior to his trial that he never expected or arranged for help from Johannesburg—that his case was already a sufficiently difficult one without embarrassing it with other people's affairs. Yet it was noted in Johannesburg that, when a report was circulated to the effect that he had started the invasion on the instructions of Mr. Cecil Rhodes, he and another officer of his force wrote jointly to the English papers to say that there was no truth whatever in the statement. The consequences of taking upon himself

the responsibility for initiative in this way, while he had yet to undergo his trial, were far more serious than would have followed a simple statement to the effect that injustice was being done to the Rand community in the charges of cowardice laid against it. It was felt then, and the feeling has not in any way abated, that Dr. Jameson regarded the fate and interests of the people of Johannesburg with indifference, looking upon them merely as pawns in a game that he was playing. It was only Mr. Rhodes who took an opportunity to say that 'the Johannesburg people are not cowards: they were rushed.'

The general public did not know the circumstances under which Dr. Jameson had agreed to remain on the frontier. They did not know that telegrams and messengers had been despatched to stop him, nor was it felt advisable to inform them of these steps at a time when matters had seemingly gone too far to be stopped. It was considered that any statement of that kind put forth at that particular juncture would simply tend to create a panic from which no good results could accrue, and that, as Dr Jameson had cast the die and crossed his Rubicon, as little as possible should be done needlessly to embarrass him. Suggestions were continually being made, and have been and are still being frequently quoted, to the effect that a force should be sent out to create a diversion among the Boer commandoes in Jameson's favour. Suggestions were made by men who had not the remotest idea of the resources at the command of the Committee, or who did not stop to think of what might have happened had Johannesburg been depleted of its armed force, and so left at the mercy of a few hundred Boers. There were always, as there will always be, men prepared for any reckless gamble, but this course was most earnestly considered time after time by the Committee when some fresh suggestion or development seemed to warrant a reconsideration of the decision already arrived at not to attempt any aggressive measures. Finally the matter was by common consent left in the hands of Colonel Heyman, an officer who has rendered distinguished service in South Africa, and whose reputation and judgment were acknowledged by all. This course was the more readily agreed to since

Colonel Heyman was by none more highly thought of than by Dr. Jameson himself. The decision given by him was that the invading force, properly led, drilled and equipped as it was, was a far stronger body than the entire force enrolled under the Reform Committee, and that it would require a very large force indeed of burghers to stop it. If Dr. Jameson had thought that he would need help there had been ample time for him to send a fast mounted messenger to Johannesburg. He had not done so; and it was therefore to be presumed that as he had taken upon himself the responsibility of invasion he was prepared for all contingencies; but, apart from this, the force available in Johannesburg, which would be in a few days a very good one behind earthworks, was at that moment utterly unfit to march out in the open. It would in its then condition, and with no equipment of field-pieces, be liable to be annihilated by a relatively small number of Boers before it should reach Dr. Jameson. It was decided, however, that, should fighting take place within such distance from the town that men could be taken from the defences without endangering the safety of the town, a force should be taken out at once.

Fault has repeatedly been found with the military organization in Johannesburg for not having been well served by an Intelligence Department, and for not knowing from day to day what the whereabouts and position of Dr. Jameson's forces were.

The reply to this is that the Johannesburg people had only two days in which to look after themselves and protect themselves in the crisis in which Dr. Jameson's action had plunged them; that as a matter of fact strenuous efforts were made to establish communication with the invading force; that the Intelligence Department—which, considering how short a time was available for its organization, was by no means unsatisfactory—was employed in many directions besides that in which Dr. Jameson was moving; that some success was achieved in communicating with him, but that the risks to be taken, owing to the imperative necessity of saving time at almost any cost, were greater than usual and resulted in the capture of eight or ten of the men employed in the endeavour to communicate with Dr. Jameson alone;

and finally, that since he had seen fit to violate all the arrangements entered into and dash into the country in defiance of the expressed wishes of the people, whom he was bent on rescuing whether they wished to be rescued or not, the least that could be expected of him and of his force was that they should acquaint themselves with the road which they proposed to travel and take the necessary steps to keep the Johannesburg people posted as to their movements.

It has been urged by a prominent member of the invading force—not Dr. Jameson—that since the force had been kept on the border for some weeks with the sole object of assisting Johannesburg people when they should require assistance, the very least that they were entitled to expect was that someone should be sent out to show them the road and not leave them to go astray for want of a guide. To this it was replied that a force which had been, as they stated, on the border for several weeks with the sole object of invading the country by a certain road, had ample time, and might certainly have been expected to know the road; and as for relieving Johannesburg in its necessity, the argument might have applied had this 'necessity' ever arisen; but since the idea was to force the hands of the Reformers, the latter might fairly regard themselves as absolved from every undertaking, specific or implied, which might ever have been made in connection with the business. But at that time the excuse had not been devised that there had ever been an undertaking to assist Jameson, on the contrary it was readily admitted that such an idea was never entertained for a moment; nor can one understand how anyone cognizant of the telegram from Dr. Jameson to Dr. Rutherfoord Harris—'We will make our own flotation by the aid of the letter which I shall publish'—can set up any defence at the expense of others.

By Wednesday night it was known that Major Heany had passed through Mafeking in time to join Dr. Jameson's force, and that, bar some extraordinary accident, Captain Holden must have met Dr. Jameson on his way, since he had been despatched along the road which Dr. Jameson would take in marching on Johannesburg; and if all other reasons did not suffice to assure the Committee that Dr. Jameson would not

be relying on any assistance from Johannesburg the presence of one or other of the two officers above mentioned would enable him to know that he should not count upon Johannesburg to give him active support. Both were thoroughly well acquainted with the position and were able to inform him, and have since admitted that they did inform him, that he should not count upon a single man going out to meet him. Captain Holden—who prior to the trial of Dr. Jameson and his comrades, prompted by loyalty to his chief, abstained from making any statement which could possibly embarrass him—immediately after the trial expressed his regret at the unjust censure upon the Johannesburg people and the charges of cowardice and bad faith which had been levelled against them, and stated that he reached Pitsani the night before Dr. Jameson started, and that he faithfully and fully delivered the messages which he was charged to deliver and earnestly impressed upon Dr. Jameson the position in which the Johannesburg people were placed, and their desire that he should not embarrass them by any precipitate action.

Before daybreak on Thursday, January 2, Bugler Vallé, of Dr. Jameson's force, arrived in the Reform Committee room and reported himself as having been sent by the Doctor at about midnight after the battle at Krugersdorp on Wednesday. He stated that the Doctor had supplied him with the best horse in the troop and sent him on to inform Colonel Rhodes where he was. He described the battle at the Queen's Mine, Krugersdorp, and stated that the force had been obliged to retreat from the position in which they had fought in order to take up a better one on higher ground, but that the position in which they had camped for the night was not a very good one. When questioned as to the exact message that he had been told to deliver he replied, 'The Doctor says, "Tell them that I am getting along all right, but they must send out to meet me."' He was asked what was meant by 'sending out to meet him.' Did it mean to send a force out? Did he want help? His reply was, 'No; the Doctor says he is getting along all right, but you must send out to meet him.' The messenger was keenly questioned upon this point, but adhered to the statement that the force was getting along all right and would be in early in the

morning. Colonel Rhodes, who was the first to see the messenger, was however dissatisfied with the grudging admissions and the ambiguous message, and expressed the belief that 'the Doctor wants help, but is ashamed to say so.' Acting promptly on this conviction, he despatched all the mounted men available (about 100) under command of Colonel Bettington, with instructions to ascertain the whereabouts of Dr. Jameson's force, and if possible to join them.

This was done without the authority of the Committee and in direct opposition to the line already decided upon. It was moreover considered to be taking a wholly unnecessary risk, in view of the fact that an attack upon the town was threatened by burgher forces on the north-west side, and it was immediately decided by a number of members who heard of Colonel Rhodes' action to despatch a messenger ordering the troop not to proceed more than ten miles from the town, but to reconnoitre and ascertain what Dr. Jameson's position was, with the reservation that, should it be found that he actually needed help, such assistance as was possible should of course be given him. As a matter of hard fact it would not have been possible for the troop to reach Dr. Jameson before his surrender, so that the action taken upon the only message received from the invading force had no practical bearing upon the results.

At daybreak on Thursday morning Mr. Lace and the despatch rider sent by the British Agent to deliver the High Commissioner's proclamation and the covering despatch were passed through the Dutch lines under the authority of the Commandant-General, and they delivered the documents to Dr. Jameson in person. In reply to Sir Jacobus de Wet's appeal Dr. Jameson said, 'Tell Sir Jacobus de Wet that I have received his despatch; and that I shall see him in Pretoria to-morrow.' Mr. Lace briefly informed him of the position, as he had undertaken to do. The presence of a Boer escort and the shortness of the time allowed for the delivery of the messages prevented any lengthy conversation. Dr. Jameson made no comment further than to say, 'It is too late now,' and then asked the question, 'Where are the troops?' to which Mr. Lace replied, 'What troops do you mean? We know nothing about troops.' It did not occur to Mr. Lace

or to anyone else that he could have meant 'troops from Johannesburg. With the receipt of Dr. Jameson's verbal reply to the British Agent's despatch-carrier the business was concluded, and the escort from the Boer lines insisted on leaving, taking with them Mr. Lace and the despatch-rider. He offered no further remark.

CHAPTER VI.

THE INVASION.

FROM the evidence on the trial at bar of Dr. Jameson and his comrades, it appears that about 20th October, 1895, orders were given to the Matabeleland Border Police to move southward. After this, further mobilization of other bodies took place and during the first week in December there collected at Pitsani Potlogo the body of men from whom Dr. Jameson's invading column was afterwards selected. For three weeks the men were continuously drilled and practised in all warlike exercises and thoroughly prepared for the enterprise which their leaders had in view. On Sunday, December 29, at about three in the afternoon, the little force was paraded and Dr. Jameson read to them the letter of invitation quoted in a previous chapter. He is alleged by certain witnesses to have said that he had just received this and that they could not refuse to go to the assistance of their countrymen in distress, and he confidently appealed to the men to support him. He said that he did not anticipate any bloodshed at all. They would proceed by forced marching straight through to Johannesburg, and would reach that town before the Boers were aware of his movements, and certainly before they could concentrate to stop him. It has been alleged by some witnesses that the men of the Bechuanaland Border Police who advanced from Mafeking under the command of Colonel Grey and Major Coventry were not so fully informed as to their destination and the reasons for the movement until they were actually in marching order to start. It would appear however from the general summary of the evidence and from the reports of

the men who took part in the expedition, that they were informed that the destination of the force was Johannesburg, that the object was to render assistance to their countrymen in that town who were being grossly misruled by the Transvaal Government and were at that time in grievous straits and peril through having endeavoured to assert their rights and obtain the reforms for which they had so long been agitating, and that the immediate reason for marching was the receipt of an urgent appeal from Johannesburg citizens, which appeal (the letter of invitation) was duly read to them. In reply to questions as to whether they were fighting under the Queen's orders, they were informed that they were going to fight for the supremacy of the British flag in South Africa. A considerable proportion of the men declined to take part in the enterprise, and it is probably largely due to defections at the last moment that the statement was made that 700 men had started with Dr. Jameson, whereas it appears that only 480 ever left the Protectorate.

The following is a portion of the Majority Report of the Select Committee on the Jameson Raid appointed by the Cape House of Assembly:

On the 26th December there was a sudden check. On the afternoon of that day Colonel Rhodes telegraphs to Charter, Capetown, 'It is absolutely necessary to postpone flotation. Charles Leonard left last night for Capetown.' Messages to the same effect were sent from Mr. S. W. Jameson to his brother, and from Dr. Harris for the Chartered Company to Dr. Jameson, the latter concluding: 'So you must not move till you hear from us again. Too awful. Very sorry.'

As to the nature of the hitch that occurred, there is some light thrown on it by the statement from Mr. S. W. Jameson to his brother that any movement must be postponed 'until we have C. J. Rhodes' absolute pledge that authority of Imperial Government will not be insisted on,' a point that is further alluded to in Telegram No. 6,537 of Appendix QQ of the 28th December.

Whatever the exact nature of the obstacle was, there can be no doubt that some at least of the Johannesburg confederates were much alarmed and took all possible steps to stay proceedings.

In addition to urgent telegrams special messengers were sent to impress on Dr. Jameson the necessity for delay. One of these, Captain Holden, made his way across country.

According to Mr. Hammond's evidence Holden arrived at Mafeking on the 28th December, and went in with the column.

The other messenger was Captain Maurice Heany, who left Johannesburg on the 26th December, and on the 27th telegraphed from Bloemfontein to Charter, Capetown, informing them that 'Zebrawood' (Colonel Rhodes) had asked him to 'stop "Zahlbar" (Dr. Jameson)

till Heany sees him,' and asking that a special train might be arranged for him. Dr. Harris replied to Kimberley on the 28th informing him that a special train was arranged, and added, 'lose no time or you will be late.'

It is in evidence that this special train was provided by the Chartered Company, that Heany left by it, caught up the ordinary train at Vryburg, and that he reached Mafeking at 4.30 a.m. on Sunday, the 29th.

The evidence is that he was coming with an urgent message to stop Dr. Jameson; that on his arrival at Mafeking he waked up Mr. Isaacs, a local storekeeper, and purchased a pair of field boots and a kit-bag, and proceeded by special cart to Pitsani; and that he subsequently on the same evening accompanied Dr. Jameson on his inroad and was captured at Doornkop.[1]

On the 27th, after receiving the discouraging telegrams mentioned above from Johannesburg, Dr. Jameson telegraphed to Harris, Charter, Capetown, 'I am afraid of Bechuanaland Police for cutting wire. They have now all gone forward, but will endeavour to put a stop to it. Therefore expect to receive telegram from you nine to-morrow morning authorizing movements. Surely Col. F. W. Rhodes advisable to come to terms at once. Give guarantee, or you can telegraph before Charles Leonard arrived.' This doubtless alludes to the necessity for guarantee mentioned in the message from S. W. Jameson, and the alternative suggestion was that authority to proceed should be given before the arrival of the Johannesburg delegate at Capetown.

Two hours later on the same day he sends another message of the utmost importance. He informs Harris, Charter, Capetown, as follows: 'If I cannot, as I expect, communicate with Bechuanaland Border Police cutting, then we must carry into effect original plans. They have then two days for flotation. If they do not, we will make our own flotation with help of letter, which I will publish.'

On the same day Dr. Jameson telegraphed to his brother in Johannesburg as follows: 'Guarantee already given, therefore let J. H. Hammond telegraph instantly all right.'

To this Mr. Hammond sent a most positive reply absolutely condemning his proposed action.

As bearing upon the attitude of the force at Pitsani, it may be noted that on the same day that the foregoing correspondence was taking place, Mr. A. Bates was despatched from Mafeking into the Transvaal with instructions from Major Raleigh Grey to collect information and meet Dr. Jameson *en route*. He was supplied with a horse and money, and seems to have done his best to carry out instructions.

Early the next day Dr. Jameson telegraphed to Harris, Charter, Capetown: 'There will be no flotation if left to themselves; first delay was

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[1] In the Report of the Select Committee of the House of Commons the following questions and answers occur, Mr. Blake questioning and Major Heany replying:

'Having got the message you went off with it and you got in, as we see by the evidence, as quickly as you could, and you just gave the message as accurately as you could to Dr. Jameson?—I read the message from my note-book absolutely accurately to Dr. Jameson.

'And he did not lose much time in making up his mind?—No; he went outside his tent. He was in a bell-tent when I arrived and he went outside and walked up and down for about twenty minutes, and then he came in and announced his determination.'

races, which did not exist; second policies, already arranged. All mean fear.[1] You had better go as quickly as possible and report fully, or tell Hon. C. J. Rhodes to allow me.'

The reply to this was: 'It is all right if you will only wait. Captain Maurice Heany comes to you from Col. F. W. Rhodes by special train to-day.' And, again, two hours later, Dr. Harris for the Chartered Company telegraphs: 'Goold Adams arrives Mafeking Monday, and Heany, I think, arrives to-night; after seeing him, you and we must judge regarding flotation, but all our foreign friends are now dead against it and say public will not subscribe one penny towards even with you as a director—Ichabod.'

Still on the same day two further telegrams to Dr. Jameson were sent from Capetown, almost together, of a strongly discouraging tenour. One of them concludes by saying 'we cannot have fiasco,' and the other informs Dr. Jameson that Lionel Phillips anticipates complete failure of any premature action.

On the same day Dr. Harris informs Colonel Rhodes at Johannesburg that, 'Have arranged for Captain Maurice Heany; Dr. Jameson awaiting Capt. Maurice Heany's arrival. Keep market firm.'

And later:

'Charles Leonard says flotation not popular, and England's bunting will be resisted by public. Is it true? Consult all our friends and let me know, as Dr. Jameson is quite ready to move resolution and is only waiting for Captain Heany's arrival.'

A few hours later Dr. Jameson telegraphs to Harris, Charter, Capetown: 'Received your telegram Ichabod *re* Capt. Maurice Heany. Have no further news. I require to know. Unless I hear definitely to the contrary, shall leave to-morrow evening and carry into effect my second telegram (Appendix QQ, No. 06365) of yesterday to you, and it will be all right.'

On the next morning, Sunday the 29th, Heany arrived at Mafeking, and after making the purchases detailed above, left by special cart for the camp at Pitsani, where he probably arrived about eight o'clock a.m. At five minutes past nine Dr. Jameson telegraphed to Harris, Charter, Capetown: 'Shall leave to-night for the Transvaal. My reason is the final arrangement with writers of letter was that, without further reference to them, in case I should hear at some future time that suspicions have been aroused as to their intention among the Transvaal authorities, I was to start immediately to prevent loss of lives, as letter states. Reuter only just received. Even without my own information of meeting in the Transvaal, compel immediate move

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[1] In the course of the Inquiry at Westminster, Dr. Jameson himself took occasion to explain this reference, when answering a question put by Mr. Sidney Buxton.

Knowing what you do now of the position at Johannesburg, do you think it was within their power to send out 300 mounted men?—I cannot give an opinion upon that; I think all their actions were perfectly *bonâ fide*. There is one telegram here which has been brought up against me very unpleasantly, which I wish I had never sent, where 'fear' is imputed in the telegram as it stands here. My explanation is that I was irritated at the time at the trouble going on, and that I used it inadvertently, or possibly there is a mistake in deciphering the code word; as to that I cannot tell, but I am sorry that it should appear so in the telegram, because I never imputed fear or cowardice to anyone in connection with anything.

to fulfil promise made. We are simply going to protect everybody while they change the present dishonest Government and take vote from the whole country as to form of Government required by the whole.'

The force took with them provisions for one day only, relying on the commissariat arrangements made on their behalf by Dr. Wolff *en route*. They were well mounted and armed with Lee-Metford carbines, and took with them eight Maxims, two seven-pounders and one twelve-pounder. In order to facilitate quick movement no heavy equipment was taken, and but little spare ammunition. The vehicles attending the column were six Scotch carts and one Cape cart. The total distance to be covered was about 170 miles to Johannesburg, or 150 miles to Krugersdorp. The start was made from Pitsani shortly after 5 p.m., and marching was continued throughout the night. The force consisted of about 350 of the Chartered forces under Colonel Sir John Willoughby, Major in the Royal Horse Guards; the Hon. H. F. White, Major 2nd Battalion Grenadier Guards; Hon. R. White, Captain Royal Welsh Fusiliers; Major J. B. Tracey, 2nd Battalion Scots Guards; Captain C. H. Villiers, Royal Horse Guards; and 120 of the Bechuanaland Border Police under Major Raleigh Grey, Captain 6th Inniskillen Dragoons, and the Hon. C. J. Coventry, Captain 3rd Militia Battalion Worcester Regiment. The two contingents met at Malmani at about sunrise on Monday morning, December 30. They marched throughout that day and night and the following day, Tuesday. There were half-hour rests about every twenty miles for rationing the men and feeding and watering the horses, the fodder being ready for the horses at various stores. Provisions for the men consisted of tinned meats and biscuits. There was no lack of provisions at all; but the men complained afterwards that they were so overcome with fatigue from continuous marching that when they reached the resting-places they generally lay down where they dismounted, and slept, instead of taking the food which was ready for them. A serious fault in the conduct of the expedition appears to have been the lack of opportunity for rest and food afforded the men. It was contended that the same or a higher average of speed might have been

attained by pressing on faster for spells of a few hours and allowing reasonable intervals for rest and refreshment. Only about 130 miles had been covered by the column during the seventy hours that they were on the march before they were first checked by any serious opposition from the Boers.

On Monday, December 30, at about 1 p.m., Mr. F. J. Newton, Resident Commissioner at Mafeking, received the following telegram from the High Commissioner, Capetown, dated the same day:

> It is rumoured here that Dr. Jameson has entered the Transvaal with an armed force. Is this so? If so, send special messenger on fast horse directing him to return immediately. A copy of this telegram should be sent to the officers witn him, and they should be told that this violation of the territory of a friendly State is repudiated by Her Majesty's Government, and that they are rendering themselves liable to severe penalties.

Mr. Newton at once addressed to Dr. Jameson and each of the chief officers with him the following letter:

> SIR,
>
> I have the honour to enclose copy of a telegram which I have received from His Excellency the High Commissioner, and I have accordingly to request that you will immediately comply with His Excellency's instructions.

Trooper J. T. White was despatched as soon as possible with the five letters, enclosed in waterproof, with instructions to ride until he caught up to Dr. Jameson and delivered the letters. He was stopped by a party of armed Boers and taken before Landdrost Marais at Malmani, where the despatches were opened and read. He was delayed for four hours, and then allowed to proceed with an escort. On Tuesday morning he crossed the Elands River and caught up the column at about 11 a.m. He had ridden all night, covering about eighty miles. He alleges that at first the officers would not take the letters, but eventually Sir John Willoughby accepted and read his and the others followed suit. He stated that he had been instructed to deliver the letters personally, and to get a reply. Sir John Willoughby sent a message by him stating that the despatches would be attended to. Shortly after this Dr. Jameson also received a protest from the Commandant of the Marico district against

his invasion of the State, to which he sent the following reply:

December 30, 1895.

SIR,

I am in receipt of your protest of the above date, and have to inform you that I intend proceeding with my original plans, which have no hostile intention against the people of the Transvaal; but we are here in reply to an invitation from the principal residents of the Rand to assist them in their demand for justice and the ordinary rights of every citizen of a civilized State.

Yours faithfully
L. S. JAMESON.

White states that this was about noon, and 'then the bugle sounded and the column moved off.' The force continued advancing in much the same way throughout Tuesday, and at 6 p.m. a skirmisher of the advanced guard met Lieutenant Eloff of the Krugersdorp District Police, who had been instructed by his Government to ride to Mafeking, presumably for the purpose of getting information. He had come with a guard of nine men, whom he had left some distance off; advancing alone to meet the column. He states that when released after two hours' delay he left the forces, and passing along the Rustenburg road met a commando of some 300 Boers with whom he made a circuit to avoid the column, and reached Krugersdorp before it did. From this it is clear that the Boers were collecting in considerable numbers to meet the invading force, and were moving with much greater rapidity than their enemies.

On Wednesday morning, at about 5.30, Messrs. Theron and Bouwer (despatch riders), who had been sent by Sir Jacobus de Wet, British Agent at Pretoria, at 1.30 p.m. on the previous day with a despatch for Dr. Jameson, reached the column and delivered their letters, and stated that they had been instructed to take back a reply as soon as possible. Dr. Jameson said, 'All right; I'll give you a reply,' and within a few minutes he handed to them the following letter:

January 1.

DEAR SIR,

I am in receipt of the message you sent from His Excellency the High Commissioner, and beg to reply, for His Excellency's information, that I should, of course, desire to obey his instructions, but, as I have a very large force of both men and horses to feed, and having finished all

my supplies in the rear, must perforce proceed to Krugersdorp or Johannesburg this morning for this purpose. At the same time I must acknowledge I am anxious to fulfil my promise on the petition of the principal residents of the Rand, to come to the aid of my fellow-men in their extremity. I have molested no one, and have explained to all Dutchmen met that the above is my sole object, and that I shall desire to return at once to the Protectorate. I am, etc.,

(Signed) L. S. JAMESON.

At about 10.30 a.m. on the same day (January 1) two cyclists, Messrs. Celliers and Rowland, carrying despatches from members of the Reform Committee, met the column. The letters were received by Dr. Jameson, and taken with him as far as Doornkop, where, upon surrender of the force, they appear to have been torn up. With that good fortune which seems to have followed the Boers throughout this business, these torn fragments were picked up on the battle-field by a Boer official four months later, having remained undisturbed during the severe rain and wind storms of the wet season. Some portions were missing, but the others were pieced together and produced in evidence against the Reform prisoners. The letters are printed hereunder as they were written, as testified by the writers, and, in the case of the first one, by others who read it before it was despatched. The italics represent the fragments of the letters which were never found: [1]

DEAR DR.

The rumour of massa*cre in* Johannesburg that started yo*u to* our relief was not true. We a*re all* right, feeling intense. We have armed a lot of men. Shall be very glad to see you. *We are* not in possess*ion of the* town. *I shall send out some* men to *You are a fine* fellow. Yours ever

F. R.[2]

We will all drink a glass along *o'* you.

L. P.[3]

31st, 11.30. Kruger has asked for *some of us to* go over and treat: armistice for *24 hours agreed* to. My view is that they are in a funk at Pretoria, and they were wrong to agree from here.

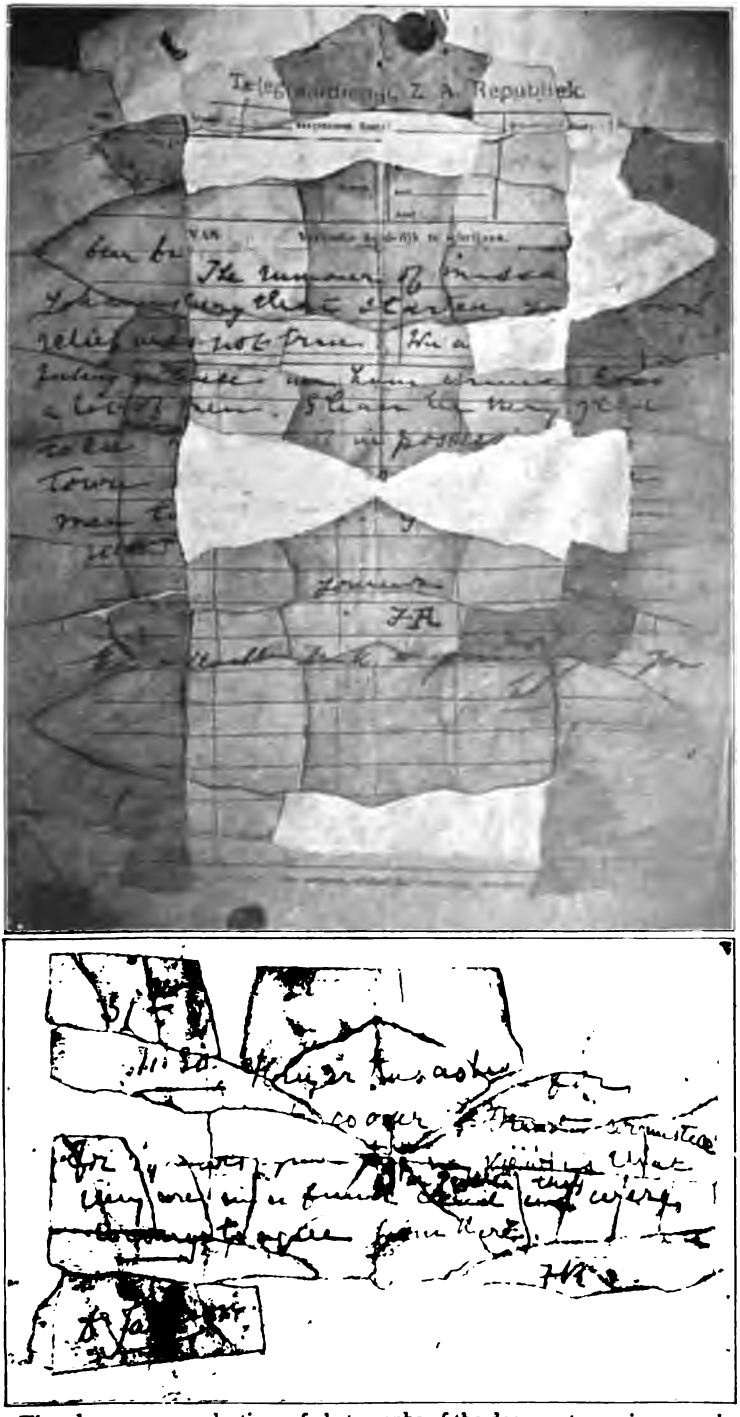
F. R.[2]

DR. JAMESON.

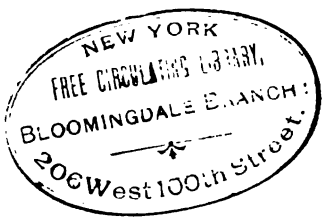
It may be noted that the tone of this correspondence does not appear to be in accord with the attitude taken up by the

[1] July 1899. The originals have since been photographed and are here reproduced.

[2] Colonel Francis Rhodes. [3] Lionel Phillips.



The above are reproductions of photographs of the documents now in possession of the Transvaal Government. For the report of the expert, Mr. T. H. Gurrin, as submitted to the Select Committee of the House of Commons, see *Appendix L.*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Reform Committee. The letters however were written on Tuesday the 31st, when there was a general belief that Dr. Jameson had started in good faith, misled by some false reports. In the second letter Colonel Rhodes expresses the opinion that it was wrong to agree to send in a deputation to meet the Government. This was written before the deputation had gone to Pretoria, and clearly implies that the moral effect of treating would be bad. The phrasing also shows that the so-called armistice was for the purpose of treating, and not the treating for the purpose of securing an armistice: in other words, that the armistice would expire, and not commence, with the treating.

From the evidence given by the cyclist Rowland, it appears that he stated to Dr. Jameson that he could get 2,000[1] armed men to go out to his assistance; and Rowland in evidence alleged further that there was some offer of assistance in one of the despatches, and that Dr. Jameson, in reply, said he did not need any assistance, but that if 2,000 men should come out probably the Boers would draw off. This witness in his evidence at Bow Street also alleged that one of the despatches expressed surprise at Dr. Jameson's movement. There is now a complete record of these despatches. They make no allusions to giving assistance, and the Johannesburg leaders are very clear on the point that no promise or offer of assistance was ever made. The reply which Dr. Jameson caused to be sent was concealed in one of the bicycles, which were seized by the Boer authorities on the return ride of the despatch-carriers, and was not brought to light until the following March, when a mechanic who was repairing the broken bicycle discovered it.

The much-debated question of whether assistance was ever promised or expected should be finally disposed of by the publication of two documents which have not heretofore appeared in print. They are (*a*) the reply of Dr. Jameson to Colonel Rhodes' letters, and (*b*) the report of Mr. Celliers, the cyclist despatch-rider who took the letter and received the reply, which report was taken down in shorthand by the

[1] (July, 1899.) Is it not probable that the deleted figures '2,000' in Colonel Rhodes' letter (see photograph) may account for some of the talk about 2,000 armed men?

clerks in the Reform Committee room as it was made verbally by him immediately on his return. Both these records dispose of Mr. Rowland's statement about 2,000 men; and apart from this it should be observed that Mr. Celliers was the messenger sent by Colonel Rhodes and not Mr. Rowland; the latter having been later on picked up 'for company,' was presumably less qualified to speak about the instructions and messages than Celliers, from whom indeed he learned all that he knew.

The letter was written by Col. H. F. White in the presence of the cyclists, and partly at the dictation of Dr. Jameson. It was in the form of a memorandum from Col. H. F. White to Col. Frank Rhodes, and bore no signature; but the last line was in Dr. Jameson's handwriting, and was initialed by him. It ran as follows:

As you may imagine, we are all well pleased by your letter. We have had some fighting, and hope to reach Johannesburg to-night, but of course it will depend on the amount of fighting we have. Of course we shall be pleased to have 200 men meet us at Krugersdorp, as it will greatly encourage the men, who are in great heart although a bit tired.

Love to Sam, Phillips, and rest,

L. S. J.

Mr. Celliers' report—after detailing the incidents of the ride out—runs:

. . . I reached the column between 9 and 10 o'clock. I saw Dr. Jameson personally. He received us very well, and was very glad with the news I brought him. He read the despatch, and asked me for full details. I told him the strength of the Boers and the dangers he was in. I told him that they had no guns, and all that I saw and heard that they had during my travels. I explained to him everything in detail. The Doctor seemed to be very brave. He told me that he had two scrimmages, and that no damage had been done. I said to him whether it would not be well for him to halt until we got through and sent him some help. The Doctor said he did not think there was anything to fear, and at the same time he did not want to go to Johannesburg as a pirate, and it would be well for them to send some men to meet him. I also made inquiries as to whether I could return by any other road, but found it was impossible, and that we had to come back the same way. I got his despatch, shook hands with him, wished us well, and set on our journey back.

The report, which is given above literally as transcribed from the shorthand notes, concludes with an account of the

return journey. Mr. Celliers in a subsequent statement confirmed the above, and added:

> The impression which the Doctor gave me most certainly was that he had never expected help and did not want it.[1]

The march continued on towards Krugersdorp. At one or two places a few shots were fired by Boer pickets, and on one occasion the Maxims of the invading force were turned on a party of some fifty Boers ensconced in a good position. No casualties however occurred until Krugersdorp was reached at 3 p.m. on Wednesday. A message was sent by Sir John Willoughby to the authorities at Krugersdorp that if he encountered any opposition he would shell the town, and he warned them to have their women and children removed.

Shortly after mid-day positions were taken up on the hills near Krugersdorp, and at three o'clock severe fighting took place which lasted well on into the night. An ambush at the crushing mill and works of the Queen's Mine was shelled and an attempt was made to storm it by a small party of the invaders. It was unsuccessful however, and after nightfall Dr. Jameson's force was obliged to retreat from its position and seek a more advantageous one on higher ground.

They had suffered a reverse at the hands of a somewhat larger force of Boers who had selected a very strong position. Firing did not cease until 11 p.m. Here it is alleged the fatal military mistake of the expedition was committed. No precautions had been taken to ascertain the road. Instead of being well acquainted with the direction to be taken the force was dependent upon a guide picked up on the spot, a man who was never seen after the events of the following day and is freely alleged to have been a Boer agent. It is stated by competent judges that, had Dr. Jameson's force pushed on during the night on the main road to Johannesburg, they

[1] After the arrival in England of the officers of Dr. Jameson's force, a report dealing with the military aspect of the expedition was sent by Sir John Willoughby to the War Office. It has been printed and—to a certain extent—circulated, and cannot therefore be regarded as private. But apart from this it is a document so peculiar—so marked by mishandling of notorious facts—that it deserves no consideration other than it may earn on merits. It is printed *in extenso* with notes by a member of the Reform Committee. See Appendix H.

would have succeeded in reaching that town without difficulty. As it was however they camped for the night in the direction of Randfontein and in the early morning struck away south, attempting a big détour to avoid the road which they had tried to force the previous night. There is but little doubt that they were shepherded into the position in which they were called upon to fight at Doornkop. The following description of the Doornkop fight was written by Captain Frank Younghusband, the correspondent of the London *Times*, who was an eye-witness:

Galloping over the rolling open grassy downs in search of Dr. Jameson's force which was expected to arrive at Johannesburg at any moment, my companion Heygate and myself saw between us two forces, both stationary. Then one began to move away and from the regularity of its movement we recognized that this must be Dr. Jameson's trying to round the opposing Boer forces. We found a Boer guard holding the only ford across the stream; so going up to the Commander we asked for news. He, after questioning us, told us all that had occurred.

He was a field-cornet from Potchefstroom, and leader of one division of the Boers. He said that yesterday, January 1, Dr. Jameson had attacked the Boer force at the George and May Mine, two miles north-west of Krugersdorp, a small mining township twenty-one miles west of Johannesburg. Fighting took place from three in the afternoon to eleven at night, Dr. Jameson making three principal attacks, and doing great damage with his artillery, which the Boers, having then no guns, were unable to reply to.

My informant, the Boer leader, said that both then and to-day Dr. Jameson's men behaved with great gallantry, and he also said that admirable arrangements had been made at Krugersdorp for nursing the wounded on both sides.

This morning the Boers took up a position at Vlakfontein, eight miles on the Johannesburg side of Krugersdorp, on a circuitous road to the south by which Dr. Jameson was marching. The Boers in the night had been reinforced by men and with artillery and Maxims. Their position was an exceedingly strong one on an open slope, but along a ridge of rocks cropping out of it. It was a right-angled position and Dr. Jameson attacked them in the re-entering angle, thus having fire on his front and flank.

To attack this position his men had to advance over a perfectly open gently-sloping grassy down, while the Boers lay hid behind rocks and fired with rifles, Maxims, and artillery upon their assailants. The Boers numbered from 1,200 to 1,500, Dr. Jameson's force about 500, and the position was practically unassailable.

Dr. Jameson, after making a desperate effort to get through, surrendered, and as we stood we saw his brave little band riding dejectedly back again to Krugersdorp without their arms and surrounded by a Boer escort.

We were allowed to ride close up, but were refused permission to see Dr. Jameson. It is therefore impossible to state his full reasons, but it is known that he was made aware that it was impossible to send assis-

tance from here, and this may have influenced him in giving up the contest when he found the enemy's position so strong that in any case it would have been no disgrace to have been beaten by superior numbers of such a brave foe as that Boer force which I saw in the very position they had fought in. It was evident that probably no one had ever started on a more desperate venture than had this daring little force, and they gained by their gallantry the adoration, not only of the Boer burghers who spoke to me, but of the whole town of Johannesburg.

These Boers—rough, simple men, dressed in ordinary civilian clothes, with merely a rifle slung over the shoulder to show they were soldiers —spoke in feeling terms of the splendid bravery shown by their assailants. They were perfectly calm and spoke without any boastfulness in a self-reliant way. They said, pointing to the ground, that the thing was impossible, and hence the present result.

The total loss of Dr. Jameson's force is about twenty. Major Grey was, they said, the principal military officer, and they thought that no officer was killed, and that the report that Sir John Willoughby had been killed was unfounded. He and Dr. Jameson have been taken to Pretoria.

At 9.15 o'clock the white flag was put up. Sir J. Willoughby, the officer in command of the force, then sent the following note addressed to the Commandant of the Transvaal Forces:

We surrender, provided that you guarantee us safe conduct out of the country for every member of the force.

JOHN C. WILLOUGHBY.

A reply was sent within fifteen minutes, of which the following is a literal translation:

OFFICER,—Please take note that I shall immediately assemble our officers to decide upon your communication.

COMMANDANT.

Twenty or thirty minutes later a second note was received by the surrendering force, addressed 'John C. Willoughby':

I acknowledge your letter. The answer is that, if you will undertake to pay the expense which you have caused the South African Republic, and if you will surrender with your arms, then I shall spare the lives of you and yours. Please send me a reply to this within thirty minutes.

P. A. CRONJÉ.
Commandant, Potchefstroom.

Within fifteen minutes of the receipt of this letter, Sir J. Willoughby replied, accepting the conditions in the following terms:

I accept the terms on the guarantee that the lives of all will be spared. I now await your instructions as to how and where we are to lay down our arms. At the same time I would ask you to remember that my men have been without food for the last twenty-four hours.

'The flag sent with the first message (to quote the statement made on behalf of Sir J. Willoughby by his solicitor, Mr. B. F. Hawksley) was sent perhaps a little earlier than 9.15. Dr. Jameson's force ceased firing as soon as the flag was hoisted, except on the extreme right. Messengers were sent to stop that firing, and all firing ceased within five minutes. The Boers continued to fire for some ten minutes, and for some time after Jameson's force had ceased. After Sir J. Willoughby had received the first answer the State Artillery opened fire and continued firing for at least fifteen minutes. Sir J. Willoughby sent Colonel the Hon. H. White and Captain Grenfell to the Commandant with a note requesting to know the reason for firing on a flag of truce, and requesting that it might cease. Sir J. Willoughby has no copy of the letter he wrote accepting the conditions offered by Cronjé, but it was to the effect above given. 'Besides Cronjé, Commandant Malan was acquainted with the terms of surrender, for *after Jameson's force had given up their arms* Commandant Malan came up and repudiated part of the terms, saying he would not guarantee the lives of Jameson and the leaders, and that they would be handed over to General Joubert, who would decide their fate.'

The decision having been announced to the forces, and many of the men having stacked their arms and dropped off to sleep where they lay in the veld, several other commandants joined Cronjé, and an altercation took place in the presence of the surrendered officers, Commandant Malan of Rustenburg violently proclaiming that Cronjé had no right to spare the lives of the force, and that it lay with the Commandant-General and Krijgsraad (or War Council) to decide what should be done with the prisoners. Commandant Cronjé replied that they had surrendered to him upon certain conditions, and those conditions had been accepted by him. In the course of the discussion, in which several other prominent Boers joined, disapproval was generally expressed of Cronjé's acceptance of the terms and threats were used to Dr. Jameson

in person. Eye-witnesses on the Boer side state that Dr. Jameson declined to discuss the matter further; he merely bowed and walked away. It may be remarked that it is not by any means unusual for the Boers to seek to stretch to their advantage terms which they have previously agreed upon. There can now be no question as to the conditions of the surrender. The officer in command on the field agreed to spare the lives of the entire force, and it was not competent for anyone to reverse that decision or to reopen the question. The incident is instructive, and also important since the lives of Dr. Jameson and his men were made to play a considerable part in President Kruger's game of magnanimity later on.[1]

[1] See Appendix G. It will be noted that in his declarations Commandant Cronjé modifies his terms very considerably. It was impossible for any reasonable person to accept the explanation preferred by him, that the promise to spare the lives of the surrendered force was only to hold good until they could be handed over to the Commandant-General. In fact, it is well known that Commandant Cronjé only took up this attitude after an extremely acrimonious discussion had taken place between him and Commandant Malan—a quarrel in which they went the length of making charges against each other in the public press of treachery and neglect of duty whilst in the field. The Commandant Cronjé referred to here is the same gentleman who commanded the Boer forces at Potchefstroom in the War of Independence, and his record is an extremely unpleasant one, his conduct of operations having earned for the Potchefstroom commando the worst reputation of any. Apart from the execution of several British subjects who were suspected and, on wholly insufficient grounds, summarily shot as spies, there are the unpleasant facts that he caused prisoners of war to be placed in the forefront of the besieging operations and compelled them to work in the trenches in exposed positions so that they should be—and actually were—shot by their own comrades. There was also the incident in which he refused to allow one or two of the ladies who were among the beleaguered garrison, and who were then in extremely bad health, to leave the fort to obtain such food and medical attendance as would enable them to live. One of the ladies died in consequence. But the incident which has more bearing on Jameson's surrender than any other is that connected with the armistice, when Commandant Cronjé, in defiance of treaty obligations, withheld from Colonel Winslow and the besieged garrison the news that an armistice had been arranged between the Boer and British forces, and continued the siege until the garrison, in order to save the lives of the wounded and the women and children refugees, were obliged to surrender. It will be remembered that this incident was too much even for Mr. Gladstone, and that on its becoming known after the terms of peace had been settled, the Transvaal Government were required by Sir Evelyn Wood to allow a British force to march up from Natal and re-occupy Potchefstroom as a formal acknowledgment of Cronjé's treachery. Mr. Kruger and his party, who were in the greatest fear that the settle-

The Johannesburg *Star* correspondent, describing the surrender, says:

There were upwards of 400 altogether, and the poor fellows made a sorry sight—tired from their long march, their privations, and the tremendous strain of continuous engagements for nearly twenty-four hours. Some almost slept in their saddles as they were being escorted; and when they arrived on Krugersdorp Market Square the scene will not soon be forgotten.

The Boers freely mixed with them and talked with them. Provisions were brought, and devoured with ravenous hunger. In many cases the Boers gave from their own scant stock of provisions to the starving men, for whom they expressed the utmost admiration for their pluckiness and determination.

Dr. Jameson and his principal officers, including Sir John Willoughby, were brought in separately from the main body of the captured troops. Although the Boers treated most of the prisoners with consideration, they jeered somewhat when Dr. Jameson was brought forward; but this was promptly suppressed by the Commandants. Dr. Jameson and the officers were temporarily housed in the Court-house, together with the other officers captured previously.

A mule-waggon was brought up, fitted with mattresses. The chief officers were despatched to Pretoria under a strong escort of Boers. About half an hour later the rest of the prisoners were also escorted out of the town to Pretoria, most of them on their own horses. Both men and horses were extremely emaciated.

The burgher losses were reported to have been 4 killed and 5 wounded. The losses of Dr. Jameson's force were 18 killed and about 40 wounded.

There were also taken: 400 magazine and Lee-Metford rifles, 8 Maxims (one spiked, or with the breach-piece gone), 4 field-pieces, 33,000 rifle cartridges, 10 cases of Maxim cartridges, 10 cases of projectiles, 2 sacks of projectiles, 300 cartridge-belts, 13 revolvers, 4 mule-waggons, 5 Scotch carts, 742 horses (in which were included the 250 horses which were captured in charge of two troopers near Blaaubank), a full-blooded stallion (the property of Dr. Jameson), 400 saddles, bridles etc., 38 mules with harness, 1 telegraph instrument (probably to tap wires with), harness and other accoutrements and instruments of war.

The prisoners were treated with every consideration by their captors, with the exception perhaps of Dr. Jameson himself, who was threatened by some of the unruly ones and

ment would not be effected, and that Sir Evelyn Wood's action might provoke a renewal of hostilities, agreed to the terms, but with grave apprehensions as to the results. However, no *contretemps* occurred.

freely hissed and hooted, but was protected by the officers in charge. It must be said of the Boers that they acted with admirable self-restraint and dignity in a position such as very few are called upon to face. However politic their actions may have been in their fear of provoking conflict with Johannesburg and the Imperial Government, however the juggling with Dr. Jameson's life afterwards and the spurious magnanimity so freely advertized, may detract from what they did and may tend to bring ridicule and suspicion upon them, one cannot review the broad facts of the Jameson invasion, and realize a position which, if only for the moment, gave the aggrieved party unlimited scope for revenge upon an aggressor who had not the semblance of personal wrong or interest nor the pretext of duty to justify his action, without allowing to the Boers that they behaved in such a manner as, for a time, to silence even that criticism which is logically justifiable and ultimately imperative. In so far as the invading force are concerned, the words of Mr. A. J. Balfour aptly sum up the position: 'President Kruger has shown himself to possess a generosity which is not the less to be admired because it is coincident with the highest political wisdom.'

With reference to the surrender of the force, it is reasonable to believe that the Transvaal Government, knowing how serious the complications would be if civil war actually took place, and believing as they undoubtedly did that Johannesburg contained upwards of 20,000 armed men, were quite willing—indeed anxious—to secure the surrender of Dr. Jameson's force on any terms, and that the conditions made by Cronjé were quite in accordance with what the highest Boer authorities would have accepted. It seems to be beyond question also that the conditions of surrender were purposely suppressed in order to enable the President to bargain with Johannesburg; and, as has already been stated, such action materially detracted from the credit due to the Transvaal Government. This is their characteristic diplomacy—the fruit of generations of sharpening wits against savages; and the same is called Kaffir cunning, and is not understood at first by European people. But when all such considerations are weighed, there is still a large balance of credit due to the Boers for the

manner in which they treated Dr. Jameson and his invading force. It is difficult to conceive of any people behaving better to a foe vanquished under such conditions; indeed, it would be quite impossible.

The Boers when under control of their leaders have generally behaved in an admirable manner. It is only when the individuals, unrestrained by those in authority, are left to exercise their power at the dictates of their own uncurbed passions, that the horrible scenes have occurred which have undoubtedly blemished their reputation.

In connection with the Jameson raid there was one such incident—the shooting of Trooper Black. The unfortunate man fell into the hands of the Boers while out scouting and was taken as a prisoner to a farmhouse near Blaaubank. There he was tied up and beaten, and it is stated by a woman who gave him water when he was half mad with thirst, that his face had been smashed by a blow from a rifle butt. When unable to bear the treatment any longer Black stood up and, tearing his shirt open, cried out, 'Don't shoot me in the back! Shoot here! My heart's in the right place.' He was then untied and (as alleged by Dutch witnesses) given an opportunity to escape. He mounted his horse, but before he had gone far was shot dead. On the appeal of Sir Jacobus de Wet the Government consented to investigate the matter; but the Commandant in charge, Piet Grobler, when questioned on the subject, merely replied, 'Oh, he [Black] was a very insolent fellow. We could do nothing with him.' The man who fired the shot despatching Black, a half-caste Boer named Graham, stated on his return from Pretoria that he was asked no questions at the so-called inquiry.

A somewhat similar incident took place, but fortunately with less serious results, on the way from the battle of Krugersdorp. A well-known resident of Johannesburg had ridden out to ascertain news of Dr. Jameson, and, arriving as the surrender took place, thrust his way among the Boers until he reached the Doctor, where he was arrested by the Boer authorities as a spy. Being a burgher of the State who had been resident in the Transvaal for some sixteen or seventeen years, he was recognized and rather harshly treated. He was attached by a leather thong to the saddle of one of

the Boer Commandants and made to run, keeping pace with the horse. After a spell of this treatment he was released, and the Commandant in question offered to make a bet with him that he would not be able to race him on horseback to the ambulance waggons a few hundred yards off, the prisoner to take a short cut across a swamp and the Commandant to ride round by the road. The prisoner thereupon replied, 'No, thank you, Commandant. I was in the Boer War myself and saw several men shot by that dodge, on the pretence that they were escaping.' The worthy Commandant thereupon drew his stirrup from the saddle, and thrashed his prisoner with the stirrup end. After some ten days' imprisonment under exceptionally hard conditions the gentleman in question was released without trial.

The complete success of the Boer forces against Dr. Jameson's band has been accounted for in many ways, but undoubtedly the one reason, if one can be selected, which enabled them to deal with the invaders, was their ability to mobilize at short notice. And in this connection arises the question: Did the Boers know beforehand of the intended invasion, and were they waiting until Dr. Jameson should walk into the trap? On behalf of the Boers it is strenuously maintained that they had not the remotest notion of what was brewing, and that had such an idea occurred to them they would of course have reported matters to the High Commissioner. The President's unyielding mood before he heard of Dr. Jameson's start, and his change afterwards, the state of demoralization in Pretoria, the unpreparedness of the State Artillery, and the vacillation of General Joubert, the condition of alarm in which the President was during that night of suspense before the surrender, when Chief Justice Kotzé sat with him to aid and cheer, and when the old white horse stood saddled in the stable in case Johannesburg should attack Pretoria; all point to the conclusion that it was not all cut and dried. With a singular unanimity, the Boers and their friends and the majority of the Uitlanders in the Transvaal support this view; but there are on record certain facts which are not to be ignored. Apart altogether from the hearsay evidence of telegraphists and Boer officials in different parts of the country, who state that they were under

orders from Government to remain at their posts day and night—that is to say to sleep in their offices—a fortnight before the Jameson raid took place, a significant piece of evidence is that supplied by the Transvaal Consul in London, Mr. Montagu White, who in a letter to the London Press stated that on December 16 he received information as to the plot against the independence of the Republic, and that he on that date cabled fully to President Kruger warning him of what was in contemplation, and that the President took the necessary precautions. Now, on December 14 it was announced in Pretoria that the President, being greatly in need of a rest and change, was about to undertake a tour through the country to visit his faithful burghers. Perusal of the newspapers of the time shows that among the Uitlanders no significance was attached to this visit. Indeed, the Uitlander press agreed that it had become painfully evident that His Honour required a change in order to restore his nervous system. As nothing can better represent the opinions of the time than the current comments of the Press, the following extracts from the Johannesburg *Star* are given:

In short, His Honour is developing an ungovernable irritability and a tendency to choleric obsessions, when the word 'Uitlander' is barely mentioned in his presence, that are causing the greatest concern to those around him. Only on some such grounds are explicable the raging exclamations he is reported to have permitted himself to lately use towards Johannesburg and the cause of reform upon which it is so earnestly engaged. That His Honour should have been generally credited with indulging in unconventional vernacular terms concerning the pronouncedly loyal and hearty reception accorded to him on his visit to the Rand Agricultural Show, seems to argue a lapse into the habits of his youngest days, which has a direct significance in the case of ordinary individuals, and is known by a very familiar name. That he should tragically declare that only across his bleeding corpse will the Uitlander ever come into his own, is merely the extravagant and regrettable melodrama of an overheated mind. The general desire is quite averse to encountering any stepping-stones of that kind, and most of all averse to Mr. Kruger's taking any such place. Our quarrel is with principles and systems, and never yet has a note of personal vengeance been sounded whilst we have endeavoured to compass their destruction. It is quite obvious that a little relaxation from the cares of State, or reversion to more primitive conditions, a freer communion with Nature—viewed from an ox-waggon—are eminently desirable to restore His Honour's shattered nerves.—*December* 14, 1895.

AT HIS POST.

His Honour the President has returned to the seat of Government. The itinerary appears to have been somewhat prematurely cut short; but no one is likely to so ridiculously under-estimate the sterling qualities of His Honour as to conceive the possibility of his absence when difficulty and danger imperatively command his presence at the head of public affairs. The conclusions which Mr. Kruger has derived from converse with his faithful burghers are likely to remain buried in his own breast. The outward and ostensible object of his recent tour has been fulfilled in much the accustomed manner; that is to say, he has discussed with apparent interest the necessity for a pont here or a bridge there; the desirability of Government aid for tree-planting, the trouble which the farmers experience in getting native labour, and so forth, and so on; but we must not derive from all this peripatetic fustian the erroneous impression that His Honour has been vacuously fiddling on the eve of a conflagration. The real business which took him to Lydenburg and Middelburg has no doubt been satisfactorily accomplished. Boer sentiment has been tested in secret, and the usual professions of fervid patriotism and of readiness for target practice with the Uitlander as the mark have been profusely evoked. This sub-official aspect of the itinerary has been discreetly veiled in all the reports which have been permitted to transpire, and the censorship thereof has been more than normally exacting and severe; but we are from private sources left in no manner of doubt that Mr. Kruger has been canvassing and stimulating the Boers to be ready for any emergency, and has been metaphorically planting a war-beacon on every hill. All scrutiny and inquiry fail to discover that he has uttered one single word which can be described as an emollient to the present critical situation. He has pandered rather to the worst racial passions of the Boer, instead of using the enormous responsibility resting upon him in the direction of mediation. Old patriarchs—whom we cannot but respect and admire whilst we deplore their immitigable and hopeless rancour against the cause of the newcomer—have been permitted, apparently without rebuke, to show their wounds to the younger and more malleable generation in His Honour's presence, and to boast of their readiness to receive as much more lead as they can conveniently find room for. The tour, indeed, has been a *wapenschouwing*, with oratory of the most dangerous and pernicious type for its accompaniment. His Honour's contribution to this interesting display of martial ardour has been couched, as usual, in the enigmatic form. He has spoken another parable. A mind so fertile in image and in simile cannot have lost much of its wonted vigour. The one he has chosen to employ on this occasion is full of instruction, and is derived, as Mr. Kruger's images frequently are, from the arena of natural history. When you want to kill your tortoise, he must be artfully induced to imprudently protrude his head beyond his thick and impregnable shell, and then the task becomes a very easy one. This little parable was considered good for use on more than one occasion, varied by the addition that, if the tortoise be up to the trick, it is necessary to sit down and wait until he does make the fatal mistake. The only drawback to our profound intellectual delight in the parable is the question, 'Who will be the tortoise?'—*December 27*, 1895.

A perusal of the German White Book shows that

On December 24 the German Consul in Pretoria telegraphed to the

Foreign Office that 'news from Johannesburg points to the preparation of disturbances by the English party there, and the Government is taking precautionary measures.' Baron von Marschall communicated this to Sir Frank Lascelles, and, after pointing out the possible consequence of bloodshed, emphasized once again the necessity for maintaining the *status quo*. In reply to the German Consul in Pretoria, the Secretary of State telegraphed a similar statement, adding: 'Impress energetically upon the Transvaal Government that it must most scrupulously avoid any provocation if it wishes to retain German sympathy.'

Another little light on the inside history is that afforded by Mr. J. C. Bodenstein, Field-cornet of the Krugersdorp district, who in the course of an interview accorded to the *Standard and Diggers' News*, the Johannesburg Government organ, stated how he came to know of Jameson's intended invasion. He heard that a certain young lady who resided at Luipaardsvlei, near Krugersdorp, whose *fiancé* occupied a good position in the Bechuanaland Border Police, had received a letter from him at Mafeking to the effect that he intended paying her a visit about the New Year, and that he would not be alone, as the whole force was coming to Johannesburg. The lady proved no exception to the alleged rule concerning secrets, and Field-cornet Bodenstein personally assured himself of the authenticity of the report he had heard.

On Friday, December 27, a German gentleman from the Free State also informed the Field-cornet that Dr. Jameson and his troopers might be expected at any time. 'On hearing this confirmation of the letter,' said Mr. Bodenstein, 'I went at once to Pretoria. I arrived there at eleven o'clock at night, and early the next morning I saw the President and informed him about the letter and what I had been told. He remarked quietly: "Yes, I have heard all about it." The General (Joubert) then said: "All right; I will send you the ammunition you require."'

In the report of the Select Committee of the Cape House of Assembly (Blue Book A 6 of 1896, page 76) there is the evidence of the Hon. J. A. Faure, M.L.C., which shows that he and Sir Thomas Upington, the Attorney-General of Cape Colony, were on a visit to Johannesburg on December 27, and heard it publicly stated that Dr. Jameson with 800 men was on the border for the purpose of invading

the Transvaal. Mr. Faure testifies that he learned this from a very prominent Free State Dutchman. Among others, one would suppose that the Transvaal Government must also have heard something of it.

Dr. Veale, a well-known Pretoria doctor, states that at daybreak on Thursday, January 2, Commandant Hendrik Schoeman called on him to secure his professional attendance for a member of his family who was very ill. The Commandant said that he had been sent out on Monday to watch the invading force and to ascertain their numbers, and also stated that he had been following the troop with others for a considerable time and that he was sure Jameson had not 800 but between 450 and 500, as he had repeatedly counted them; that the force was being delayed by small parties drawing it into useless fighting and so losing time; that he himself had been obliged to come on ahead, having been recalled on account of his wife's serious illness, but that it made little difference as there were others to take his place, and they had arranged not to tackle Jameson until they had drawn him among the kopjes at Doornkop, where it would be quite impossible for him ever to get through. This statement it should be noted was made in Pretoria some hours before the Jameson force surrendered at Doornkop.

So certain do the Boers appear to have been, and so confident of their ability to carry out their plans, that they stated to a reporter of the Government newspaper that they intended to stop Jameson at Rietspruit (Doornkop), and this statement was published in a Johannesburg paper on the morning of January 1, but was of course regarded as mere gossip of a piece with that which flooded the newspapers at the time. It is only right to add that there were numbers of other announcements at the same time which by no means agreed with this one, and it is stated that the editor was as much surprised as the public to find that he had been right.

In reviewing the whole of the circumstances of the raid, not the most biased and most interested of persons can withhold a tribute of admiration to the President's presence of mind, skill, and courage in dealing with circumstances

wholly without precedent; and in quiet moments, when recalling all that has happened, if human at all, his Honour must indulge in a chuckle now and then to think how completely he jockeyed everybody.[1] Not the least amusing recollection must be that of the 'great trek' (Banjailand Trek), which his burghers threatened to make into Mashonaland viâ Rhodes' Drift when Sir John Willoughby gained his first experience of Oom Paul. The military commander of Dr. Jameson's force had called on the President to add weight to the remonstrances which were being made against the action of the burghers in invading the Chartered territory, and the President, playing his cards for a favourable settlement of Swaziland, had replied that he had done all that he could, and events must take their course. 'Tell him,' said Sir John to Dr. Leyds who was interpreting, 'that if the trek is not stopped of course the result will be war!' 'If it must be, let it be,' the old gentleman answered quietly. 'Then tell him,' Sir John replied, 'that in that case he will have to reckon with the British Army.' 'And tell *him*,' said the President, pointing placidly at his interviewer with his big pipe, 'that I have reckoned with the British Army once before.' If the recollection occurred to both men on January 2, it must have been with different emotions.

In dealing with President Kruger's personal attitude it is not perhaps pertinent but, it is interesting, to recall an incident of his earlier career—a parallel between the prisoner and the President. Oddly enough President Kruger was a rebel and a filibuster himself in the days of his hot youth, and one of his earliest diplomatic successes was in securing

[1] Once when out hunting on foot—a young man then—Mr. Kruger, after climbing to the top of a kopje, found that he had been seen by a number of hostile natives who were then running towards him, some to climb the hill, others branching out to surround it. He knew that those on the flat could cut him off before he could descend and that his only chance lay in 'bluff.' Stepping on to the outermost ledge in full view of the enemy he calmly laid down his rifle, drew off first one and then the other of his velschoens (home-made hide shoes, in those poorer days worn without socks) and after quietly knocking the sand out of them drew them on again. By this time the natives had stopped to observe him. He then picked up his rifle again, and turning to an imaginary force behind the kopje waved to the right and then to the left, as though directing them to charge round each end of the hill. The next instant the Kaffirs were in full retreat.

the release and pardon of men who, in 1857, stood in exactly the same position as the Uitlanders whom he imprisoned.

The story of the Potchefstroom revolt is little known in England, but it is told in Theal's 'Standard History of South Africa,' and very instructive reading it is. Dr. Hillier, of Johannesburg, one of the Reformers, called attention just before the outbreak to the extraordinary parallel between the revolt of Potchefstroom in 1857 against the dominance of Lydenburg and the condition of Johannesburg in 1895 under the despotism of Pretoria. Dr. Hillier in his pamphlet said:

In 1857 the Republic north of the Vaal attained its twentieth year. It had increased in population, and had taken on, to some extent, the habits and mode of life of a settled community. Mr. Pretorius and his followers began to feel that in the altered circumstances of the State the time had arrived for a remodelling of the Constitution. Among these followers of Pretorius, these advocates of reform, it is interesting to find was Mr. Stephanus Johannes Paulus Kruger.

Mr. Theal says:

'During the months of September and October, 1856, Commandant-General M. W. Pretorius made a tour through the districts of Rutsenburg, Pretoria and Potchefstroom, and called public meetings at all the centres of population. At these meetings there was an expression by a large majority in favour of immediate adoption of a Constitution which should provide for an efficient Government and an independent Church.'

And again, later on, we have in the words of South Africa's historian the gist of the complaint against the then existing state of things:

'The community of Lydenburg was accused of attempting to domineer over the whole country, without any other right to pre-eminence than that of being composed of the earliest inhabitants, a right which it had forfeited by its opposition to the general weal.'

Such was the shocking state of things in this country in 1856. It was a great deal too bad for such champion reformers as Mr. Pretorius and his lieutenant, Mr. S. J. P. Kruger, as we shall see later. Shortly after these meetings were held, a Representative Assembly, consisting of twenty-four members, one for each field-cornetcy, was elected for the special purpose of framing a Constitution and installing the officials whom it should decide to appoint.

On January 5, 1857, the Representative Assembly appointed Mr. Martinus Wessels Pretorius President, and also appointed members of an Executive Council. The oaths of office were then taken, the President and Executive installed, and the flag hoisted. When intelligence of these proceedings reached Zoutpansberg and Lydenburg, there was a violent outburst of indignation. At a public meeting at Zoutpansberg the acts and resolutions of the Representative Assembly at Potchefstroom were almost unanimously repudiated, and a manifesto disowning the new Constitution and everything connected with it was drawn up. Mr. Pretorius then issued a proclamation, deposing Commandant-General Schoeman from all authority, declaring Zoutpans-

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berg in a state of blockade, and prohibiting traders from supplying 'the rebels' with ammunition or anything else. This conduct on the part of the new Government under Mr. Pretorius appears to me distinctly adroit. Having taken upon themselves to remodel the entire Constitution of the country, they turn round on the adherents of the older Government, whom, by-the-by, they had not thought it worth while to consult, and promptly call them 'rebels.' And so you have this striking political phenomenon of a revolutionary party turning on the adherents of the Government of the State, and denouncing them, forsooth, as 'rebels.'

The 'Republic of Lydenburg' then declared itself into a sovereign and independent State. And thus two Republics, two Volksraads, two Governments, were formed and existed simultaneously in the Transvaal. And all this without a shot being fired, each party finding sufficient relief to its feelings by calling the other party 'rebels.' In order to strengthen its position, the party of Pretorius now determined on a bold stroke. They sent emissaries to endeavour to arrange for union with the Free State. The Free State Government rejected their overtures, but Pretorius was led to believe that so many of the Free State burghers were anxious for this union that all that was necessary for him to do, in order to effect it, was to march in with an armed force. He therefore placed himself at the head of a commando, and crossed the Vaal, where he was joined by a certain number of Free State burghers.

But Pretorius, with whom was Paul Kruger, found, like Dr. Jameson, that he had reckoned without his host. When intelligence of this invasion reached Bloemfontein, President Boshoff issued a proclamation declaring martial law in force throughout the Free State, and calling out burghers for the defence of the country. It soon appeared that the majority of the people were ready to support the President, and from all quarters men repaired to Kroonstad. At this stage the Free State President received an offer of assistance from General Schoeman, of Zoutpansberg, against Pretorius, in which object he believed Lydenburg would also join.

On May 25 the two commandoes were drawn up facing each other on opposite banks of the Rhenoster River, and remained in that position for three hours. Threatened from the north as well as the south Pretorius felt his chance of success was small, and he therefore sent out Commandant Paul Kruger with a flag of truce to propose that a pacific settlement should be made.

Here indeed is a very close parallel, but the climax is still to come. The treaty arrived at was practically an apology on the part of the South African Republic. Many citizens of the Free State who had joined the northern forces moved over the Vaal after this event. Those who remained and those who had been previously arrested were brought to trial for high treason. One man was sentenced to death, but the sentence was mitigated subsequently to a fine; others were fined. These fines were again still further mitigated at the solicitation of Messrs. Paul Kruger and Steyn, until it came to little more than a ten-pound note apiece.

There we have the story of President Kruger and his friends playing exactly the part Dr. Jameson and the Johannesburg Reformers tried to do. As Potchefstroom rose under Mr. Kruger against the oligarchical rule of

Lydenburg, so Johannesburg was to rise against Pretoria. The Potchefstroom Republic under Pretorius and Kruger made a raid *à la* Jameson into the Orange Free State for political purposes, to encourage those who were believed to be anxious to effect a union. And just as Jameson failed against the Government of Pretoria, so Pretorius failed against the Government of the Orange Free State. In 1857 it was Paul Kruger not Dr. Jameson who hoisted the white flag. The Free Staters who had tried to help Kruger's raid were arrested just as the Johannesburgers were; but although one of them was condemned to death all of them were released, by the intervention of Mr. Kruger himself, on paying a slight fine.

History has repeated itself indeed; but the offence of Dr. Jameson is surely less than that of Mr. Kruger, if we are to pay heed to the records of the Free State Volksraad, wherein it is written that on a certain day the President stated in open Raad that proof had been obtained of a proposed combined attack on the Free State by the Transvaal Boers, led by Pretorius and Kruger on the one side, and the Basutos under Moshesh on the other—a horrible and unnatural alliance which was not effected only because Moshesh could not trust his professed allies. The Raad thereupon publicly gave thanks to the Almighty, Who had revealed and frustrated this 'hideous complot.'

CHAPTER VII.

AFTER DOORNKOP.

THE news of Dr. Jameson's surrender was received in Johannesburg towards mid-day, at first with derision, but as report after report came in, each confirming and supplementing the other, no room for doubt was left and a scene of the wildest excitement ensued. It is not too much to say that not one person in a hundred, no matter what his political leanings were, had doubted for a moment Dr. Jameson's ability to force his way into Johannesburg. There is not the slightest indication in the newspapers of the time, which without doubt reflected every varying mood and repeated every rumour which it was possible to catch from an excited people, that there was in any man's mind a suspicion that the Boers would be able to stop the invader. In the first place no one believed that they could mobilize sufficiently quickly to oppose him, and in the second place, he was understood to have a force of 800 men so admirably equipped and trained that it would not be possible for 5,000 Boers hurriedly called together to intercept him. All this, however, was forgotten when it came to accounting for the disaster; or rather, the previous convictions only added strength to the rage of disappointment. The public by that time knew of the letter of invitation; it had been taken on the battle-field and news of it was telegraphed in, and apart from this the writers had made no secret of it. But what the public did not know, and what, if they had known it, would not have appealed with similar force, was the efforts made to stop Jameson and the practical withdrawal of the

letter before he had started. It was sufficient for them during the few remaining hours of that day to recall that Jameson had come in, that he had fought against great odds, and that when almost reaching his goal he had been taken prisoner for want of assistance. It is perfectly true that in their rage of grief and disappointment men were willing to march out with pick-handles to rescue him, if there were not rifles enough to arm them. While the excitement lasted this was the mood, and the Reform Committee were the scapegoats. The attitude of the crowd was due to ignorance of the circumstances and natural emotion which could not be otherwise vented. The excitement had greatly abated by the following morning, and it was realized then that the position was practically but little worse than that which the Reform Committee had offered to take up when they tendered their persons as security for the evacuation of the country by the invading force, and had proposed to continue the struggle without their aid.

The reports received by the Johannesburg people were to the effect that the surrender had been conditional upon the sparing of the lives of the force. Indeed the first reports agreed that Jameson upon receipt of the High Commissioner's proclamation, had laid down his arms; but upon the return of Mr. Lace (whose mission has been explained) it was realized that this was not the case. A later account showed that Jameson had surrendered to Commandant Cronjé on the condition that the lives of all should be spared, and this version of the surrender was published in the Johannesburg newspapers. When further accounts were received from Pretoria and Krugersdorp, stating that the surrender had been unconditional and that there was grave doubt as to what would be done with Dr. Jameson, it was surmised as an explanation that he had declined to bargain for his own life and had merely stipulated that those of his followers should be spared.

On Friday the news that it was contemplated to shoot Dr. Jameson caused a frenzy of horror and excitement in the town. Every effort was made by the Reform Committee and its supporters to maintain strictly the position which the Government had suggested through their Commission on

Wednesday, lest some untoward incident should turn the trembling balance against Dr. Jameson and his men; nor were the Committee alone in the desire to maintain that position. On Friday and on Saturday communications were received from the local Government officials, and from Commandant-General Joubert through the British Agent, drawing the attention of the Committee to alleged breaches of the arrangement. The allegations were satisfactorily disproved; but the communications clearly indicated that the Government were most desirous of maintaining the position in relation to Johannesburg which they had laid down before the first battle with Dr. Jameson's forces.

Information was received on Thursday that the High Commissioner would leave Capetown for Pretoria at 9 p.m. that night. It had been a matter of surprise that, the arrangement having been entered into with him early on Wednesday, he had not found it convenient to start for some thirty-six hours. Considering how seriously he had interfered with the movement—first by his proclamation, and next by concerted action with the Government for a peaceful settlement—it had been naturally assumed that he would not lose a moment in leaving Capetown for the scene of trouble. Such however was not the case.

It has been alleged that the arrangement made between the Transvaal Government and the High Commissioner with a view to a peaceful settlement bore only upon Dr. Jameson's action, and that it was not contemplated that there should be any interference between the Government and its own subjects in Johannesburg. In answer to this it may be noted that the High Commissioner had in the first place offered his services, and that those services had been declined by the Transvaal Government; but that the latter, on realizing the seriousness of the position which they were called upon to face, and acting, it is stated, upon the advice of Mr. J. H. Hofmeyr, the recognized leader of the Dutch Africanders in the Cape Colony, reconsidered this refusal and urgently besought the High Commissioner to go up to Pretoria and use his influence to effect a peaceful settlement. This arrangement, together with the promise of the redress of grievances, had been made known to the deputation of the

Reform Committee by the Government Commission in Pretoria, as has already been stated—the Government well knowing that Johannesburg was in arms and a party to the arrangement with Dr. Jameson.

Dr. Jameson surrendered at 9.30 a.m. on Thursday. The High Commissioner did not leave Capetown until 9 p.m. the same day. There had therefore been ample time for the Government to intimate to him their opinion that matters had been satisfactorily settled and that they did not need his services any longer, had they held such an opinion. As a matter of fact, that was by no means their opinion. They considered that they had yet to deal with 20,000 armed men in Johannesburg, and that they had to do that, if possible, without provoking a civil war, which would inevitably result in the long-run to their disadvantage, however great their success might be over the Johannesburg people in the meantime. They not only allowed the High Commissioner to proceed to Pretoria on the understanding originally effected, but they took steps to remind the Reform Committee on several occasions that they were expected to adhere to the arrangement entered into. And such was the position when the High Commissioner arrived on the night of Saturday, the 4th.

Sir Hercules Robinson proceeded direct to Pretoria, but did not transact any business until Monday, abstaining, in deference to the feelings of the Boers, from any discussion of business matters on the Sabbath. On Sunday, however, he received information from the Reform Committee as to the arrangements entered into with the Government. He was also informed that threats had been made by persons who without doubt were speaking the mind of the Government, that if any trouble should take place with Johannesburg Dr. Jameson and probably many of his comrades would be shot. It was not stated that the Transvaal Government or authorities would officially countenance any such act or would authorize it even as the result of a trial; but the statement which was made by everyone from the President downward was that, in the event of any fighting in Johannesburg, the burghers would be so much enraged and so beyond control that the prisoners who had caused all the trouble

would inevitably be shot. It is a part of Boer diplomacy to make as much use as possible of every weapon that comes to hand without too great a regard for the decencies of government as they occur to the minds of every civilized people, and it is not at all unusual to find the President proclaiming at one moment that some course must be taken to prevent disaster, for the reason that he cannot be answerable for his burghers in their excited state, and at another moment indignantly repudiating the suggestion that they would be guilty of any step that could be considered unworthy of the most civilized of peoples. In fact such exhibitions were repeatedly given by him at a later stage when dealing with the Reform prisoners.

Before any communication was received from the High Commissioner on Monday messages had been received by the members of the Reform Committee to the effect that the laying down of arms would be absolutely necessary to ensure the safety of Jameson and his men. The Reform Committee had then learnt that the two messengers sent to stop Dr. Jameson—Major Heany and Captain Holden—had reached him, and had come in with him, and were at that moment prisoners with him in Pretoria. They had also heard of the reception accorded to Sir Jacobus de Wet's despatch and the High Commissioner's proclamation, so that it was abundantly clear that the incursion had been made in defiance of the wishes of the leaders, whatever other reasons there might have been to prompt it. But the public who constituted the movement were still under the impression that Dr. Jameson was a very fine fellow who had come in in a chivalrous manner to help those whom he had believed to be in distress. There was however no division of opinion as to what should be done; even those who felt most sore about the position in which they had been placed did not hesitate for a moment The first and for the time being the only consideration was the safety of Dr. Jameson and his comrades.

The events and negotiations of the days preceding the arrest of the Reformers have been the subject of so much discussion and so much misunderstanding that it will be better as far as possible to compile the history from original documents or the published and properly authenticated copies. In Blue Book [C. 7,933] the following is published:

SIR HERCULES ROBINSON (*Pretoria*) *to* MR. CHAMBERLAIN.
(*Telegraphic. Received* 1.8 *a.m., 6th January*, 1896.)

5th January. No. 3.—Arrived here last night. Position of affairs very critical. On side of Government of South African Republic and of Orange Free State there is a desire to show moderation, but Boers show tendency to get out of hand and to demand execution of Jameson. I am told that Government of South African Republic will demand disarmament of Johannesburg as a condition precedent to negotiations. Their military preparations are now practically complete, and Johannesburg, if besieged, could not hold out, as they are short of water and coal. On side of Johannesburg leaders desire to be moderate, but men make safety of Jameson and concession of items in manifesto issued conditions precedent to disarmament. If these are refused, they assert they will elect their own leaders and fight it out in their own way. As the matter now stands, I see great difficulty in avoiding civil war; but I will do my best, and telegraph result of my official interview to-morrow. It is said that President of South African Republic intends to make some demands with respect to Article No. 4 of the London Convention of 1884.

MR. CHAMBERLAIN *to* SIR HERCULES ROBINSON.
(*Telegraphic. January* 6, 1896.)

6th January. No. 3.—It is reported in the press telegrams the President of the South African Republic on December 30 held out definite hopes that concessions would be proposed in regard to education and the franchise. No overt act of hostility appears to have been committed by the Johannesburg people since the overthrow of Jameson. The statement that arms and ammunition are stored in that town in large quantities may be only one of many boasts without foundation. Under these circumstances, active measures against the town do not seem to be urgently required at the present moment, and I hope no step will be taken by the President of the South African Republic liable to cause more bloodshed and excite civil war in the Republic.

These are followed in the same volume by No. 89:

SIR HERCULES ROBINSON (*Pretoria*) *to* MR. CHAMBERLAIN.
(*Telegraphic. Received 7th January*, 1896.)

6th January. No. 2.—Met President South African Republic and Executive Council to-day. Before opening proceedings, I expressed on behalf of Her Majesty's Government my sincere regret at the unwarrantable raid made by Jameson; also thanked Government of South African Republic for the moderation shown under trying circumstances. With regard to Johannesburg, President of South African Republic announced decision of Government to be that Johannesburg must lay down its arms unconditionally as a precedent to any discussion and consideration of grievances. I endeavoured to obtain some indication of the steps that would be taken in the event of disarmament, but without success, it being intimated that Government of South African Republic had nothing more to say on this subject than had been already embodied in proclamation of President of South African Republic. I inquired as to whether any decision had been come to as regards disposal of prisoners, and received a reply in the negative.

President of South African Republic said that, as his burghers, to number of 8,000, had been collected, and could not be asked to remain indefinitely, he must request a reply, 'Yes' or 'No,' to this ultimatum within twenty-four hours. I have communicated decision of South African Republic to Reform Committee at Johannesburg through British Agent in South African Republic.

The burgher levies are in such an excited state over the invasion of their country that I believe President of South African Republic could not control them except in the event of unconditional surrender. I have privately recommended them to accept ultimatum. Proclamation of President of South African Republic refers to promise to consider all grievances which are properly submitted, and to lay the same before the Legislature without delay.

On January 7 Mr. Chamberlain replied:

No. 1.—I approve of your advice to Johannesburg. Kruger will be wise not to proceed to extremities at Johannesburg or elsewhere; otherwise the evil animosities already aroused may be dangerously excited.

And on the same day Sir Hercules Robinson telegraphed:

No. 1.—Your telegram of January 6, No. 2. It would be most inexpedient to send troops to Mafeking at this moment, and there is not the slightest necessity for such a step, as there is no danger from Kimberley volunteer corps or from Mafeking. I have sent De Wet with ultimatum this morning to Johannesburg, and believe arms will be laid down unconditionally. I understand in such case Jameson and all prisoners will be handed over to me. Prospect now very hopeful if no injudicious steps are taken. Please leave matter in my hands.

On Monday Sir Jacobus de Wet, acting under the instructions of the High Commissioner, telegraphed from Pretoria to the Reform Committee, Johannesburg, informing them that the High Commissioner had seen the President and Executive that morning, that he had been informed that as a condition precedent to the discussion and consideration of grievances the Government required that the Johannesburg people should lay down their arms; and that the Government gave them twenty-four hours—from 4 p.m. that day—in which to accept or reject that ultimatum. The Committee replied that it would receive their earnest consideration.

Notwithstanding the fact that such a condition had been anticipated the ultimatum was very unfavourably received, a large number of those present protesting that the Uitlanders were being led little by little into a trap, that the Boers as was their wont would never keep faith with them, that in the

end they would find themselves betrayed, and that it would be better at no matter what cost to make a fight for it and attempt to rescue Dr. Jameson and his party. The last suggestion was a mad one, and after some consideration, and hearing the representations of Sir Sidney Shippard and Mr. Seymour Fort, who had been in communication with the High Commissioner on the previous day in Pretoria and were used by him as unofficial agents, the matter was more calmly considered by the Committee. It was very well realized that a struggle between Johannesburg and the Boer forces would have been an absolutely hopeless one for those who took part in it, but there was a determination to secure the objects for the attainment of which the agitation had been started, and it was believed that if a firm stand were taken, such was the justice of the cause of the Uitlanders that the Government would not be able to refuse definite terms as to what reforms they would introduce, besides assuring the safety of Dr. Jameson.

While the discussion was proceeding another telegram was received from the British Agent saying that, under instructions from the High Commissioner, he was proceeding in person to Johannesburg to meet the Reform Committee and explain matters to them. The meeting took place on the morning of Tuesday, and Sir Jacobus de Wet pointed out to the Committee the perilous position in which Dr. Jameson and his comrades were placed, owing to the hesitation of the Uitlanders to accept the ultimatum of the Government. He read again and again the following telegram from the High Commissioner, which had been despatched from Pretoria early that morning and received by the British Agent in Johannesburg when on his way to meet the Reform Committee:

Urgent.—You should inform the Johannesburg people that I consider that if they lay down their arms they will be acting loyally and honourably, and that if they do not comply with my request they forfeit all claim to sympathy from Her Majesty's Government and from British subjects throughout the world, as the lives of Jameson and the prisoners are now practically in their hands.

In reply to remarks about grievances, Sir Jacobus de Wet stated that the Uitlanders could not expect under the cir-

cumstances anything more favourable than the discussion and consideration of the grievances with the High Commissioner, as had been promised, and added that, if there were any spirit of reason in the community at all, they would be content to leave their case in the hands of so experienced a statesman as Sir Hercules Robinson, a man whose instinct and training were towards fair and decent government.

In the course of a very long discussion, Sir Jacobus de Wet was asked if he did not consider the Boer Government capable of an act of treachery such as disarming the community and then proceeding to wreak their vengeance upon those whom they might consider responsible for the agitation. According to the evidence of a number of those who were present, his reply was that 'not a hair of the head of any man in Johannesburg would be touched.' The discussion was resumed at various times and in various forms, when different groups of men had opportunities of questioning the British Agent themselves. When questioned again more definitely as to whether this immunity would be extended to the leaders—those who had signed the letter—Sir Jacobus de Wet replied again in the affirmative. To another member, who had asked the same question in another form, he said 'Not one among you will lose his personal liberty for a single hour. John Bull would never allow it.' In reply to the remark, 'John Bull has had to put up with a good deal in this country. What do you mean by "John Bull"?' he answered, 'I mean the British Government could not possibly allow such a thing.'

It would have been an easy and no doubt a proper and reasonable precaution had the Reformers insisted upon a statement in writing of the terms upon which they laid down their arms. There were however two considerations which weighed against any bargain of this sort. The first was the overwhelming and paramount consideration of insuring Dr. Jameson's safety; and the other was the belief (not seriously shaken by suggestions to the contrary) that the Government would be obliged to abide by the spirit of the terms arranged on January 1, because the High Commissioner would insist upon it as the vital condition under which he was endeavouring to effect the disarmament of Johannes-

burg. That Sir Hercules Robinson well realized his responsibility to the Uitlander, but found it inconvenient or impossible to accept it at a later stage, is shown by his own reports. On January 7 he telegraphed to Mr. Chamberlain as follows:

Your telegram No. 3 of January 6. I need now only say that I have just received a message from Reform Committee resolving to comply with demand of South African Republic to lay down their arms; the people placing themselves (? and) their interests unreservedly in my hands in the fullest confidence that I will see justice done to them. I have received also the following from British agent, dated 7th January:

Begins: I have sent the following telegram to His Honour the President:

I have met the Reform Committee. Am gratified with the spirit shown in the discussion of the all-important present position. The Committee handed me the following resolution—*Begins:* The Reform Committee in Johannesburg, having seriously considered the ultimatum of the Government of the South African Republic communicated to them through Her Majesty's Agent at Pretoria, in a telegram dated 6th instant, to the effect that Johannesburg must lay down its arms as a condition precedent to a discussion and consideration of grievances, have unanimously decided to comply with this demand, and have given instructions to the citizens employed by this Committee for maintaining good order to lay down their arms. In coming to this determination, the Committee rely upon the Government that it will maintain law and order, and protect life and property in this town at this critical juncture. The Committee have been actuated by a paramount desire to do everything possible to ensure the safety of Dr. Jameson and his men, *to advance the amicable discussion of terms of settlement with the Government, and to support the High Commissioner in his efforts in this respect.* The Committee would draw the attention of the Government of the Republic to the presence of armed burgher forces in the immediate vicinity of this town, and would earnestly desire that these forces be removed in order to avoid all risk of any disturbance of the public peace. *Resolution ends.* I wish to add to my above remarks that I feel convinced there will be no further difficulty in connection with the laying down of their arms. I would suggest that the Government co-operate with the Reform Committee for a day or two for the purpose of restoring the town to its normal state. This will only take a day or two, and those who are excited among the people will by that time have calmed down, and the police can resume their ordinary duties. The Committee will co-operate in this matter. This course will very much facilitate the task of your Government if it meets with your approval. *Ends.*

The High Commissioner concluded the above telegram with the following significant sentence:

I hope now to be able to confer with President of the South African Republic and Executive Council as to prisoners and the redress of Johannesburg grievances.

On the 8th he again telegraphed:

Referring to your telegram of the 7th inst., No. 1, I consider that so far throughout this matter Kruger has behaved very well. He suspended hostilities pending my arrival, when Johannesburg was at his mercy; and in opposition to a very general feeling of the Executive Council and of the burghers who have been clamouring for Jameson's life, he has now determined to hand over Jameson and the other prisoners. If Jameson had been tried here there can be no doubt that he would have been shot, and perhaps some of his colleagues also. The excitement of the public is now calmed down.

I shall try to-day to make arrangements with Kruger as to taking over the prisoners, and *I will confer with him as to redressing the grievances of the residents of Johannesburg on the basis of your telegram of the 4th inst. I have given Kruger a copy of that telegram.*'

And later on the same day:

Since my telegram No. 1 of this morning, matters have not been going so smoothly. When the Executive Council met, I received a message that only 1,814 rifles and three Maxim guns had been surrendered, which the Government of the South African Republic did not consider a fulfilment of the ultimatum, and orders would be immediately issued to a commando to attack Johannesburg. I at once replied that the ultimatum required the surrender of guns and ammunition for which no permit of importation had been obtained, and that onus rested with Transvaal Government to show that guns and ammunition were concealed for which no permit had been issued. If before this was done any hostile step were taken against Johannesburg, I should consider it to be a violation of the undertaking for which I had made myself personally responsible to the people of Johannesburg, and I should leave the issue in hands of Her Majesty's Government. This had a sobering effect, and the order for the attack on Johannesburg was countermanded, and it was arranged that the Transvaal officials should accompany Her Majesty's Agent to Johannesburg and point out to him if they could where arms were concealed. Her Majesty's Agent left at 1 p.m. to-day for Johannesburg for this purpose.

'The explanation of the change, I take it, is that Kruger has great difficulties to contend with among his own people. The apparent object is to prove that people of Johannesburg have not fulfilled the conditions which were to precede the handing over of the prisoners and consideration of grievances. I should not be surprised if, before releasing the prisoners or redressing grievances, an attempt were now made to extort an alteration of the London Convention of 1884, and the abrogation of Article No. 4 of that instrument. *I intend, if I find that the Johannesburg people have substantially complied with the ultimatum, to insist on the fulfilment of promises as regards prisoners and consideration of grievances,* and will not allow at this stage the introduction of any fresh conditions as regards the London Convention of 1884. Do you approve?

The Reform Committee published the following official notice on Tuesday afternoon:

The Reform Committee notify hereby that all rifles issued for the defence of life and property in town and the mines are to be returned at once to the Central Office in order to enable the Committee to carry out the agreement with the Government, upon the faithful observance of which so much is dependent.

The Committee desire to make it known that late last night they received an intimation from Her Majesty's Agent in Pretoria to the effect that the decision of the Government was that Johannesburg must lay down its arms as a condition precedent to the discussion and consideration of grievances.

The Committee met this morning to consider the position, and it was unanimously resolved to accept the ultimatum of the Government for reasons which the following communications sufficiently explain:

Here followed the High Commissioner's telegram to Sir Jacobus de Wet, urging disarmament, already given, and the following memorandum:

Sir Jacobus de Wet, Her Majesty's Agent at Pretoria, has notified to the Committee that he has been officially informed by the Government in Pretoria that upon Johannesburg laying down its arms Dr. Jameson will be handed over to Her Majesty's High Commissioner.

By Order.

Johannesburg, *7th January.*

The above is correct.

J. A. DE WET,
H.B.M. Agent.

The Committee can add nothing to the above, and feel that there will not be one man among the thousands who have joined the Reform movement who will not find it consistent with honour and humanity to co-operate loyally in the carrying out of the Committee's decision.

By order of the Committee.

On Wednesday the investigations effected by the Government, with the aid of the Reform Committee, established the fact that the ultimatum had been complied with; but the juggling with Dr. Jameson's life continued for some days. On Thursday the 9th the High Commissioner received a communication from the President in which occurred the following sentence: 'As I had already caused your Excellency to be informed, it is really my intention to act in this sense (*i.e.*, hand over Dr. Jameson and men), so that Dr. Jameson and the British subjects who were under his command may then be punished by her Majesty's Government, and I will make known to your Excellency the final decision in this matter *as soon as Johannesburg shall have reverted to a condition of quietness and order.*'

In the face of this and many other significant messages and expressions which reached Sir Hercules Robinson, it is not to be wondered at that he considered Dr. Jameson's life to be in peril, and that he regarded, as he distinctly said he did, disarmament by Johannesburg as the only means of saving him; but what is less pardonable is, that he did not pin President Kruger to this, and demand an explanation when it became known that Jameson and his men were secured by the conditions of the surrender. The truth is that the wily old Boer President, by a species of diplomacy which does not now commend itself to civilized people, managed to jockey everybody with whom he had any dealings. He is much in the position of a certain financier who, after a vain effort to justify his proceedings, turned at last in desperation upon his critics and said: 'Well, I don't care what view you hold of it. You can have the morality, but I've got the cash.'

Late in the evening of the 9th the following proclamation was published:

Whereas by resolution of the Government of the South African Republic, dated Monday, the 6th of January, 1896, whereby to all persons at Johannesburg and suburbs twenty-four hours were granted to hand over and to lay down to the Government unconditionally all arms and ammunition for which no permit could be shown, and

Whereas the said period of twenty-four hours has already expired on Tuesday, the 7th of January, 1896, and whereas the so-called Reform Committee and other British subjects have consented and decided to comply unconditionally with the resolution of the Government, and

Whereas sundry persons already have laid down their arms and ammunition, and have handed them over to the Government, and

Whereas the laying down and giving over of the said arms and ammunition is still proceeding, and

Whereas it is desirable and proper that this be done as soon as possible, and in a proper way, and that a term be fixed thereto,

Now I, Stephanus Johannes Paulus Kruger, State President of the South African Republic, with the advice and consent of the Executive Council, by virtue of Article 5 of their minutes, dated 9th January, 1896, proclaim that further time will be given for that purpose until FRIDAY, the 10th JANUARY, 1896, at 6 p.m.

All persons or corporations with whom, after the expiration of that period, arms or ammunition will be found, for which no permit granted by Government can be shown, will be dealt with according to law; and

Whereas the laying down and handing over of the said arms and ammunition should have been effected unconditionally,

Now I further proclaim that all persons who have already laid down and given over the said arms and ammunition, or who shall have done so before Friday, the 10th January, 1896, at 6 p.m., shall be exempted from all prosecution, and will be forgiven for the misdeeds that have taken place at Johannesburg and suburbs, *except all persons and corpora-*

tions who will appear to be the chief offenders, ringleaders, leaders, instigators, and those who have caused the rebellion at Johannesburg and suburbs.

Such persons and corporations shall have to answer for their deeds before the legal and competent courts of this Republic.

I further proclaim that I will address the inhabitants of Johannesburg to-morrow by a separate proclamation.

God save Land and People.

Given under my hand at the Government Office at Pretoria on this Ninth Day of January, in the Year One Thousand Eight Hundred and Ninety-six.

S. J. P. KRUGER,
State President.
C. VAN BOESCHOTEN,
Acting State Secretary.

The grim, cautious method of the President was never better illustrated than by these proclamations and the concurrent actions. In no part of his diplomatic career has he better stage-managed the business than he did here. To the world at large these addresses commend themselves no doubt as reasonable and moderate, and they establish a record which will always speak for him when the chronology of events is lost; but the true worth of it all is only appreciated when one realizes that the first proclamation extending the time for disarmament, and promising amnesty to all except the leaders, was not issued until two days after the Government had satisfied themselves that the disarmament had been completed, and that it was deliberately held back until the police and burghers were in the outskirts of the town ready to pounce upon the men with whom they had been treating. It is an absolute fact that the Reform Committee-men, who had offered to effect the peaceful settlement seemingly desired by all parties, who had used every means in their power to convince the Government that disarming was being effected in a *bonâ fide* and complete manner, and who had themselves supplied the Government in good faith with any documents they had showing the number of guns and the amount of ammunition which had been at the disposal of the Reform Committee, had not the remotest suspicion that an act of treachery was in contemplation, nor any hint that the Government did not regard them as amnestied by virtue of the negotiations; and it is a fact that when the proclamation of the 9th was issued the detectives were waiting at the clubs, hotels and houses to arrest the members of the Reform Com-

mittee, and that the Reformers did not know of the proclamation exempting them from the 'Forgive and Forget' until after they had been seized.

On the 10th the address promised to the inhabitants of Johannesburg duly appeared.

After reviewing recent events, it concluded with this appeal:

> Now I address you with full confidence! Strengthen the hands of the Government, and work together with them to make this Republic a country where all inhabitants, so to say, live fraternally together. For months and months I have thought which alterations and emendations would be desirable in the Government of this State, but the unwarrantable instigations, especially of the Press, have kept me back. The same men who now appear in public as the leaders have demanded amendments from me in a time and manner which they should not have dared to use in their own country out of fear of the penal law. Through this it was made impossible for me and my burghers, the founders of this Republic, to take your proposals into consideration. It is my intention to submit a draft law at the first ordinary session of the Volksraad, whereby a municipality with a Mayor at its head will be appointed for Johannesburg, to whom the whole municipal government of this town will be entrusted. According to all constitutional principles, such a municipal council should be appointed by the election of the inhabitants. I ask you earnestly, with your hand upon your heart, to answer me this question: Dare I, and should I, after all that has happened, propose such to the Volksraad? What I myself answer to this question is, I know that there are thousands in Johannesburg to whom I can with confidence entrust this right to vote in municipal matters. Inhabitants of Johannesburg, make it possible for the Government to appear before the Volksraad with the motto, 'Forget and Forgive.'
>
> (Signed) S. J. P. KRUGER,
> *State President.*

One would think that anyone gifted with even a moderate sense of humour would have been restrained by it from issuing a second proclamation on top of the elaborate fooling of the first. Is it possible to imagine any other community or any other Government in the world in which the ruler could seriously set to work to promulgate two such proclamations, sandwiching as they did those acts which may be regarded as the practical expression—diametrically opposed to the published expression—of his intentions?

In the meantime the negotiations concerning Dr. Jameson were dragging on. After securing the disarmament of Johannesburg and getting rid of the troublesome question of the disposal of Jameson, and after refusing for several days (to quote the gist of the High Commissioner's telegram, Blue

Book No. 125 [C-7933]) to allow the necessary arrangements for the deportation of the men to be made, Mr. Kruger suddenly called upon the High Commissioner to have them removed at once, intimating at the same time that it was the decision of the Executive that all the prisoners, except the Transvaal and Free State subjects, whom he would retain, should be sent to England to be tried according to English law. It was pointed out that it was only contemplated to send the officers for trial. To this Mr. Kruger replied: 'In such case the whole question must be reconsidered.' The High Commissioner at once telegraphed for the decision of Her Majesty's Government, stating that it was the opinion of Sir Jacobus de Wet and Sir Graham Bower, who had represented him at the interview with the Transvaal Government, that, if the whole lot were not sent home to be dealt with according to English law, they would be tried in Pretoria, with a result which he feared would be deplorable. To this Mr. Chamberlain replied:

Astonished that Council should hesitate to fulfil the engagement which we understood was made by President with you, and confirmed by the Queen, on the faith of which you secured disarmament of Johannesburg. Any delay will produce worst impression here, and may lead to serious consequences. I have already promised that all the leaders shall be brought to trial immediately; but it would be absurd to try the rank and file, who only obeyed orders which they could not refuse. If desired we may however engage to bring to England all who are not domiciled in South Africa; but we cannot undertake to bring all the rank and file to trial, for that would make a farce of the whole proceedings, and is contrary to the practice of all civilized Governments. As regards a pledge that they shall be punished, the President will see on consideration that although a Government can order a prosecution, it cannot in any free country compel a conviction. You may remind him that the murderers of Major Elliott, who were tried in the Transvaal in 1881, were acquitted by a jury of burghers. Compare also the treatment by us of Stellaland and other freebooters.

The result of this communication was that the President drew in his horns and agreed that if the prisoners were deported to England he would be satisfied to let the British Government decide which of them should be prosecuted.

The success of his diplomatic methods had whetted his appetite, it would appear. He was not content with the conditional surrender of Dr. Jameson, nor—having suppressed the fact that it was conditional—with having used him for the

purpose of disarming Johannesburg; but, having achieved both purposes, Mr. Kruger was still desirous of keeping him in hand. This however was a length to which the British Government did not see fit to go; but there is no evidence in the correspondence which has passed tending to show that even then Sir Hercules Robinson perceived how he was being made use of and played with by the President.

On the night of the 9th and the morning of the 10th, the members of the Reform Committee to the number of about sixty were arrested and lodged in gaol; and from this moment the High Commissioner appears to have erased them from the tablets of his memory. On January 14 he telegraphed to Mr. Chamberlain as follows:

I have received a letter from Government of South African Republic, stating that, in their opinion, every reason exists for assuming that the complications at Johannesburg are approaching to an end, and that there need be no longer any fear of further bloodshed. The President of the South African Republic and Executive Council tender to me the warmest thanks of the Government of the South African Republic for the assistance I have been able to render in preventing further bloodshed, and their congratulations on the manner in which my object in coming has been fulfilled. They tender also their cordial acknowledgment of the services rendered by the British Agent at Pretoria, which I think is fully deserved. The Volksraad met yesterday, and adjourned until May, the only business transacted being a vote of thanks to the Orange Free State and the High Commissioner for their efforts in promoting a peaceful settlement, which was carried by acclamation. I now only await settlement of prisoners' difficulty to leave for Capetown, where my presence is urgently needed in consequence of change of Ministers. Governor of Natal and General Cox are here, to whom I will give instructions as to reception and disposal of prisoners as soon as I hear from you.

To this Mr. Chamberlain telegraphed a most important reply on January 15:

I am left in great perplexity by your telegram No. 3, of the 14th inst., and fear that some previous telegrams must have miscarried. (Here follow directions to refer to a number of telegrams in which Mr. Chamberlain had indicated the settlement which he anticipated, the nature of the reforms which Sir Hercules Robinson was to secure, and many inquiries as to the reason for the arrests of the reformers as reported in the English papers.) I have received no reply to any of these telegrams, but have assumed that negotiations were in progress between the President and yourself.

There can be no settlement until the questions raised by these telegrams are disposed of. The people of Johannesburg laid down their arms in the belief that reasonable concessions would be arranged by

your intervention; and until these are granted, or are definitely promised to you by the President, the root-causes of the recent troubles will remain.

The President has again and again promised reform, and especially on the 30th December last, when he promised reforms in education and franchise; and grave dissatisfaction would be excited if you left Pretoria without a clear understanding on these points. Her Majesty's Government invite President Kruger, in the interests of the South African Republic and of peace, to make a full declaration on these matters. I am also awaiting a reply respecting the alleged wholesale arrests of English, Americans and other nationalities, made after the surrender of Johannesburg.

It will be your duty to use firm language, and to tell the President that neglect to meet the admitted grievances of the Uitlanders by giving a definite promise to propose reasonable concessions would have a disastrous effect upon the prospects of a lasting and satisfactory settlement.

Send me a full report of the steps that you have already taken with regard to this matter, and of the further action that you propose.

In the meantime Sir Hercules Robinson left Pretoria, satisfied that he had done all that was necessary, and telegraphed to Mr. Chamberlain as follows:

FROM THE HIGH COMMISSIONER *en route* TO CAPETOWN.

15*th January*, 1896. No. 1.—Your telegram 13 January, No. 1, only reached me last night, after I had left Pretoria. I could if you consider it desirable, communicate purport to President of South African Republic by letter, but I myself think such action would be inopportune at this moment. Nearly all leading Johannesburg men are now in gaol, charged with treason against the State, and it is rumoured that Government has written evidence of a long-standing and widespread conspiracy to seize government of country on the plea of denial of political privileges, and to incorporate the country with that of British South Africa Company. The truth of these reports will be tested in the trials to take place shortly in the High Court, and meanwhile to urge claim for extended political privileges for the very men so charged would be ineffectual and impolitic. President of South African Republic has already promised municipal government to Johannesburg, and has stated in a proclamation that all grievances advanced in a constitutional manner will be carefully considered and brought before the Volksraad without loss of time; but until result of trials is known nothing of course will now be done.

Mr. Chamberlain replied to the above:

15*th January*. No. 5.—Referring to your telegram, No. 1, of the 15th January, see my telegram No. 1 of to-day, which was sent before receipt of yours. I recognize that the actual moment is not opportune for a settlement of the Uitlanders' grievances, and that the position of the President of the South African Republic may be an embarrassing one, but I do not consider that the arrest of a few score individuals out of a population of 70,000 or more, or the supposed existence of a plot

amongst that small minority, is a reason for denying to the overwhelming majority of innocent persons reforms which are just in themselves and expedient in the interests of the Republic. Whatever may be said about the conduct of a few individuals, nothing can be plainer than that the sober and industrious majority refused to countenance any resort to violence, and proved their readiness to obey the law and your authority. I hope, therefore, to hear at an early date that you propose to resume discussion with President of South African Republic on lines laid down in my previous telegrams. I do not see that the matter need wait until the conclusion of the trial of the supposed plotters. I am anxious to receive the information asked for in my telegram No. 1 of the 14th January. Please communicate at once with the President on this matter.

The following is the telegram to which allusion is made above:

14th January. No. 1.—Press telegrams state numerous arrests of leading residents on the Rand, including many Americans, Germans, and other nationalities. Fear that number of these arrests of active managers, representatives, may disorganize industry on the Rand. Wish to know of what accused, when brought to trial, whether bail allowed, and what penalities prescribed by law. Shall be glad to learn from President of South African Republic what his intentions are in this matter, which affects the subjects of so many States. Propose to communicate President's reply to American and Belgian Governments, which have already asked us to take charge of interests of their respective citizens.

Sir Hercules Robinson, replied:

15th January. No. 2.—Your telegram of 14th January, No. 1. The accused are between fifty and sixty in number, and are mostly members of the Reform Committee. They have been arrested on charge of treason, and of seeking to subvert the State by inviting the co-operation and entrance into it of an armed force. The proceedings are based, I understand, on sworn information, and the trials will take place before High Court. The accused are being well treated, and are represented by able counsel. It is alleged that Government has documentary evidence of a widespread conspiracy to seize upon Government, and make use of the wealth of the country to rehabilitate finances of British South Africa Company. On taking leave of President of South African Republic, I urged on him moderation as regards the accused, so as not to alienate the sympathy he now enjoys of all right-minded persons. Bail is a matter entirely in the hands of Attorney-General. The Government seem acting within their legal rights, and I do not see how I can interfere. Mines are at work, and industry does not seem to be disorganzied.

While still on his way to Capetown, the High Commissioner telegraphed to Mr. Chamberlain again in a manner indicating his complete abandonment of the position taken

up by him in relation to Johannesburg—in fact, his repudiation of what his own words have recorded against him:

16th January. No. 1.—Your telegram of 15th January, No. 1, received. I cannot at this moment follow the complications arising from supposed missing and crossing telegrams, but can only say that no telegram which has reached me from you has remained unanswered.

No promise was made to Johannesburg by me as an inducement to disarm, except that the promises made in the President's previous proclamation would be adhered to, and that Jameson and the other prisoners would not be transferred until Johannesburg had unconditionally laid down its arms and surrendered. I sent your long telegram of 4th January to President; *but the question of concessions to Uitlanders has never been discussed between us.* Pending result of coming trials, and the extent to which Johannesburg is implicated in the alleged conspiracy to subvert the State is made clear, the question of political privileges would not be entertained by Government of the South African Republic.

He justified the change of policy in another communication addressed to Mr. Chamberlain before he reached Capetown:

16th January. No. 3.—Your telegram of the 15th January, No. 5. If you will leave the matter in my hands, I will *resume* advocacy of Uitlanders' claims at the first moment I think it can be done with advantage; the present moment is most inopportune, as the strongest feeling of irritation and indignation against the Uitlanders exists both amongst the Burghers and Members of Volksraad of both Republics. Any attempt to dictate in regard to the internal affairs of South African Republic at this moment would be resisted by all parties in South Africa, and would do great harm.

I have already replied in my telegram of 15th January, No. 2, in answer to your telegram of 14th January, No. 1, and I do not think it possible to obtain further information at this stage, the matter being *sub judice.*

Sir Hercules Robinson left Pretoria on the 14th, having resided within a few hundred yards of Dr. Jameson and his comrades for a week, and of the Reform prisoners for four days, without making any attempt whatever to ascertain their circumstances or story. During that time his military secretary called upon Dr. Jameson for the purpose of finding out details of the prisoners and wounded of the force, but made no further inquiries. Dr. Jameson's solicitor wrote to the Colonial Office on March 5:

MY DEAR FAIRFIELD,

You have probably seen the cable that has come to the *Diggers' News,* giving the lie direct to Sir John Willoughby's statement respecting terms of surrender.

I have seen Sir John again, and am authorized by him to state, with regard to the criticism that it is incredible that nothing should have been said by the officers when in prison at Pretoria to anybody about the terms of surrender, that it must be remembered that from the time of the surrender until they left Africa none of them were allowed to make any communication. While in gaol they were not allowed to see newspapers or to receive any news of what was going on in Pretoria or elsewhere.

Sir J. Willoughby made a statement to the head gaoler and other officials at the time of his arrival at the gaol when he was searched and all his papers taken from him. He requested to be allowed to keep the document signed by Cronjé, as it contained the terms of the surrender, but received as answer that all papers must be taken and that they would be returned afterwards. They were in fact taken and only returned when the officers were removed from the gaol to go to Durban.

My clients did try to get a note through to Johannesburg concealed in a matchbox. They paid twenty-five pounds to get it through, and sent it within thirty-six hours of their arrival in gaol, but they have never been able to ascertain whether it reached its destination.

The gist of it was that they were all right. It never occurred to the prisoners that neither the British Resident nor the High Commissioner would be informed of the terms of the surrender, or that they would not satisfy themselves on this point.

Sir Hercules Robinson might urge, in so far as Dr. Jameson's affair is concerned, that he could not be expected to suspect a deception such as was practised upon him; yet it does seem extraordinary that, being in Pretoria for the purpose of negotiating for the disposal of Dr. Jameson and his comrades, he should not have taken steps to ascertain what there was to be said on their behalf, especially as on his own showing it was for the greater part of the time a question of life and death for the leaders of the force. It is even more difficult to understand why no effort should have been made to communicate with the Reformers. The High Commissioner was thoroughly well aware of the negotiations between them and the Government on January 1. He had received communications by telegraph from the Reformers before he left Capetown; he came up avowedly to settle their business; he negotiated on their behalf and induced them to disarm; he witnessed their arrest and confinement in gaol; yet not only did he not visit them himself, nor send an accredited member of his staff to inquire into their case and conditions, but Sir Jacobus de Wet alleges that he actually, in deference to the wish of the President, desired the British Agent not to hold any communication whatever with the prisoners

during his (Sir Hercules Robinson's) stay in Pretoria. Truly we have had many examples of President Kruger's audacity, and of the success of it; but nothing to equal this. That he demanded from Sir Hercules Robinson information as to the objects of the Flying Squadron and the movements of British troops in British territory, and succeeded in getting it, was a triumph; but surely not on a par with that of desiring the High Commissioner not to hold communication with the British subjects whom he, as the official representative of their sovereign, had travelled a thousand miles to disarm, and on whose behalf—ostensibly—he was there to negotiate.

CHAPTER VIII.

ARREST AND TRIAL OF THE REFORMERS.

ABOUT half of the members of the Reform Committee were arrested and taken through to Pretoria on the night of the 9th. Others were arrested at various times during the evening and night, were detained in the lock-up at Johannesburg as ordinary felons, and escorted to the Pretoria gaol on the following morning. The scene on their arrival at Pretoria railway staton and during their march to the gaol was not creditable to the Boers. A howling mob surrounded the prisoners, hustling them, striking them, and hurling abuse at them incessantly. The mounted burghers acting as an escort forced their horses at the unfortunate men on foot, jostling them and threatening to ride them down. One of the prisoners, a man close on sixty years of age, was thrown by an excited patriot and kicked and trampled on before he was rescued by some of his comrades.

Once within the gaol, the men were searched and locked up in the cells, and treated exactly as black or white felons of the lowest description. In many cases four or five men were incarcerated in single cells 9 feet long by 5 feet 6 inches wide, with one small grating for ventilation. At night they were obliged to lie on the mud floor, or in some cases on filthy straw mattresses left in the cells by former occupants. No provision was made by which they could obtain blankets or other covering—indeed at first it was not necessary, as the overcrowding and lack of ventilation very nearly resulted in asphyxiation. With an inhumanity almost incredible, in one instance one of the prisoners, suffering from fever and dysentery, was locked up for twelve hours with four others in

such a cell without any sanitary provisions whatever. Friends in Pretoria induced the authorities, by means not unpopular in that place, to admit a better class of food than that allowed to the ordinary prisoners; and it is stated that the first meal enjoyed by the Reformers cost close upon £100 for introduction. Day by day fresh concessions were obtained in a similar manner, with the result that before long the prisoners were allowed to have their own clothing and beds and such food as they chose to order. Nothing however could alter the indescribable sanitary conditions, nor compensate for the fact that the cells occupied by these men were in many cases swarming with vermin.

The climate in Pretoria in January is almost tropical, and the sufferings of many of the older and less robust men under such circumstances were very considerable. On the eleventh day of incarceration the majority of the prisoners were let out on bail of £2,000 each; in the cases of two or three bail of £4,000 each was required; but bail was refused to Colonel Rhodes, Messrs. Phillips, Farrar, Hammond (the signatories to the letter), and J. P. FitzPatrick, the secretary of the Reform Committee. These five continued to occupy the undesirable premises for four weeks more, at the end of which time, owing to the serious effect upon their health which imprisonment under these conditions had produced, and owing to the repeated representations within the Transvaal and from the British Government as well, an alteration was made under somewhat novel conditions.

It was notified to the public that the Government had graciously consented to admit the prisoners to bail. The terms, however, were not at the time publicly announced. First and foremost it was required of them that they should deposit £10,000 in sovereigns each as security that they would not break the conditions of their altered imprisonment. They were to reside in a cottage in Pretoria under strong guard, and they were to pay the whole of the costs of their detention, including the salary and living expenses of the officer and guard placed over them. The cost, including interest upon the money deposited, was upwards of £1,000 a month.

The preliminary examination into the charges against the

Reformers began on February 3, and lasted about a month. It resulted in the committal for trial, on the charge of high treason, of all those arrested. The Imperial Government having decided to send a representative to watch the trial on behalf of the British, American and Belgian subjects, Mr. J. Rose Innes, Q.C., the leader of the Bar in Cape Colony, attended on their behalf. It was intimated to the Transvaal Government that Mr. Innes would represent the Imperial Government; but objection was made to this on the grounds that he had been admitted to the Pretoria Bar during the British administration, and had failed to comply with a subsequent rule of Court which required some sort of registration; and permission was refused to him to address the Court. The objection was maintained, and Mr. Innes was obliged to limit his participation in the affair to sitting at the counsels' table and consulting and advising with the Pretoria barristers employed to defend the prisoners.

The examination was, as Dr. Coster the State Attorney announced, of the nature of a fishing examination, and he claimed to be permitted to conduct it in a manner which, he alleged, is popular in Holland, but which is entirely unknown in the Transvaal, and certainly does not obtain in any British possession. The chief feature of this system appears to be a total disregard of the rules applying to evidence. A few instances will suffice. One of the first witnesses called was Judge Ameshof, who with Chief-Justice Kotzé and Mr. Kock formed the Government Commission appointed to meet the deputation from the Reform Committee on January 1. Judge Ameshof was duly sworn, and was asked to identify a list of the members of the Reform Committee. He did so. He stated that it was the list supplied to the Government Commission at the meeting of January 1 by the deputation of the Reform Committee, and he regarded it therefore as authentic. The deputation had stated to the Commission that it was so.

This was the first revelation of the tactics about to be pursued by the Government, in using information which had been given under privilege and in good faith by the prisoners themselves, when negotiating with the Government prior to any question of arrest being raised. Mr. Wessels, counsel for

the accused, rose to obtain from Judge Ameshof the official account of the meeting, desiring to prove this very important negotiation by means of witnesses on the Government side. He got no further however than saying to the witness, 'You said you were a member of the Government Commission?' when Judge Ameshof replied, 'Yes, but if you are going to ask me about anything that took place at that meeting, I cannot answer, because the meeting was a privileged one.' Mr. Wessels did not lose his opportunity, 'You have stated,' he said, 'that you are a Judge of the High Court?' The witness signified assent. 'And you mean to tell me,' Mr. Wessels continued, 'that you feel yourself free to divulge so much as it suits the Government to reveal, but that as soon as I wish to prove something to my clients' advantage the interview becomes privileged?' The witness did not answer, and Mr. Wessels appealed to the Court. Judicial Commissioner Zeiler, however, upheld the witness's contention. Mr. Wessels urged in reply that if it was a privileged interview he objected to any evidence whatever being given in connection with it, and protested vehemently against the admission of the list of members just sworn to. The objection was overruled, and it was thus laid down that the interview was privileged as far as the Government was concerned, but not in so far as it could benefit the Reformers.

Another case was that of Mr. Schumacher, a witness who testified, *inter alia*, that he did not know what the objects of a certain Development Syndicate were. His evidence showed that he had not been informed upon this point. He was very hard pressed by the State Attorney, but he adhered to his first answer. Dr. Coster then altered his tactics and asked, 'Had you no opinions on the subject? Did you not guess at all?' The witness replied that he might have thought and conjectured at various times, but that he had nothing in the nature of information or knowledge on the point. This did not satisfy Dr. Coster, who then pressed the question, 'Well, what did you think? What were your thoughts?' The witness objected to state what his thoughts were, as they could have no bearing on the fact, and might be absolutely wide of the mark. He could only repeat that he had no knowledge. The witness appealed to the

Bench for protection. Mr. Wessels urged that it was an unheard-of proceeding to compel a witness to state what he thought and to use it as evidence. The objections were again overruled, and the witness was ordered by the Court to answer. His reply afforded no satisfaction to the Government, being to the effect that he could not then remember what his thoughts were at various times. On the application of the State Attorney the Judicial Commissioner sent him to gaol for twelve hours for contempt of court.

Mr. Wessels strenuously objected to the decision and applied to the Court to stay imprisonment to enable him to appeal to a judge in chambers, but even this was refused. Mr. Wessels in the course of his address received a reprimand from the Bench for stating that he now recognized the force of the State Attorney's contention that the law of evidence as obtaining in South Africa was not sufficiently wide; for, he added, he thought it would suit the purpose of the Government better if they reverted to an older system under which racks and thumbscrews were popular.

The witness was sent to gaol. Some hours later an appeal was heard by Judge de Korté in chambers, and the decision of the Judicial Commissioner was reversed, but the prisoner had already completed seven hours' imprisonment in a dirty cell. Judge de Korté stated that he had reversed the decision after consultation with Chief Justice Kotzé, and it was felt that something at least had been achieved by Mr. Schumacher, and the rights of a witness would be recognized. But the end is not always in sight in dealing with the Transvaal Government. The State Attorney in turn appealed from the single judge's decision to the full Bench. Judge Morice, a Scotchman, many years a judge of the High Court, supported the decision of Judge de Korté. The Chief Justice, who had advised Judge de Korté in his decision however in a most extraordinary judgment now reversed it, and in this view he was supported by Judge Ameshof—himself a witness in the case against the Reformers.

Thus the majority judgment of the High Court against the Reformers on this principle of evidence happened to be formulated by the two judges who had been appointed to negotiate with the Reformers' deputation on behalf of the Government.

The impossibility of obtaining justice in the Courts of the Transvaal under the then conditions was thus brought home to the prisoners. An appeal from the decision of the Lower Court on Judge Ameshof's interpretation of privilege, which had been seriously discussed, was then abandoned as being worse than useless, and calculated only to provoke more extreme measures against the prisoners by placing the Bench in a ridiculous position. It could not be expected that the Chief Justice, who was himself a member of the Government Commission which Judge Ameshof had claimed to be privileged, would take any other view than that favouring the policy and convenience of the Government which he showed himself so ready to befriend.

In the Schumacher appeal case before the full Court, Dr. Coster had made no secret that he intended to disregard the rules and precedents governing the treatment of witnesses, and even claimed that he should receive no opposition from the prisoners' counsel, since he was only '*fishing*' for evidence and not actually accumulating it against the prisoners, and had no intention of using the evidence given at this examination. Mr. Wessels asked him whether he would pledge himself to this effect, and what, for instance, would be done in case a witness who had been heard at the preliminary examination should die before the main trial came off. The reply was, that in such a case of course the Government would be bound to use some of the evidence, but would use it with discretion and not unfairly. This undertaking provoked smiles even in court. The wisdom and fairness of Mr. Wessels' contention were fully justified when the trial actually did take place, for the whole of the evidence of the preliminary examination was handed in for the guidance of the judge in determining his sentences against the accused. It may be added that each witness was called upon to sign the notes of his evidence as taken down in Dutch. When required, the official reporter read a free translation of the notes to the witness before they were signed.

At the conclusion of the examination all the prisoners were committed on the same charge—that of high treason—no distinction whatever being made in the references to them from the Bench. By this time Mr. Hammond, who had

been ill, was released on bail of £20,000 in order to go to the seaside.

Application was made on behalf of Colonel Rhodes, Messrs. Phillips, Farrar, and FitzPatrick for release on bail, upon the grounds that no distinction whatever had been made between them and the other prisoners who had already been released, but this was refused after the point had been reserved for consideration by the State Attorney in consultation with the Chief Justice, and the four men returned to their former conditions of imprisonment. Mr. Chamberlain continued to make representations on behalf of these men, and at one time it appeared as though the restrictions would be removed, Dr. Coster having pledged himself to accept bail, and having actually drawn out the bail-bonds and submitted them to the solicitors of the accused for approval, and every arrangement having been completed—even to the finding of the additional security. They were however at the last moment curtly informed that bail would not be allowed. On this being reported to Mr. Chamberlain, he at once replied to the effect that he could not believe that a Government would revoke a promise made on their behalf by the State Attorney. Dr. Leyds, on behalf of his Government, stated that the matter was in the hands of the State Attorney alone and did not concern the Executive, and that on inquiry he found that no such promise had been made and no undertaking given. The incident is more or less trivial, but again shows the readiness with which the Boer Government repudiate a promise when it is to their convenience to do so. Dr. Coster on his side admitted with expressions of regret that there had been a breach of undertaking, and stated that it had been done by order of the Executive Council.

Communications between Mr. Chamberlain and the Pretoria Government were of great frequency during this period. The phantom of Mr. Kruger's visit to England was chased with great assiduity. The wily old President seized on Mr. Chamberlain's suggestions as an excellent pretext for delay to enable him to spread his nets, and he used the time to great advantage. But this was not the worst! Mr. Chamberlain's new diplomacy and his stupid or treacherous advisers led him into blunders; as when, for instance, he tried to bounce with-

out the intention of making good his implied threats; and when he sent his 4th of February despatch (publishing it in London before it reached Pretoria), strongly and ably reviewing the position, but spoiling all by a proposal which, whilst it had not been suggested to or discussed by the Rand people, and would not have been acceptable to them in lieu of what they had demanded, was also an interference in the internal affairs of the Transvaal. It gave the Pretoria Government an opportunity, which they did not miss, of severely snubbing Mr. Chamberlain. When the latter in turn peremptorily refused their demands, he was informed that the cancellation of the London Convention would not be pressed '*at present*,' but might remain in abeyance.

Throughout the period prior to the main trial, President Kruger continued to use with great effect 'the wishes and intentions of his burghers.' When bail was first refused to the leaders this course was justified on the grounds that the burghers were strongly against it, and that the President could not act against their wishes. When at a later stage a petition was presented by a number of burghers more or less in touch with the Uitlander community, who felt that the treatment of the leaders was having a bad effect, counter petitions came in within a day or two urging the Government on no account to extend the privilege of bail to these men. Oddly enough, these petitions were got up and signed by relatives and near connexions of the President himself.

During this period another petition was presented which is surely without parallel in a civilized state; but it illustrates admirably the Boer idea of right and liberty. Fifty burghers in the district of Standerton addresssed the Government, pointing out the undesirability of allowing a 'certain Advocate Wessels to defend the Jameson rebels,' and praying that the Government would put him over the border, 'which is the slightest punishment that can be inflicted upon him.' The receipt of this petition was announced in the Government organ, the *Press*, on March 25.

At about this time another incident occurred which excited considerable feeling. Commandant Henning Pretorius, one of the most prominent Boer officials, having paid a visit to his native district in the Cape Colony shortly after the Jame-

son raid, purchased from the owner of a farm at Cookhouse Drift the beam from which the five Boers had been hanged at Slagter's Nek for rebellion in the year 1816. Reference has already been made in the first chapter to this deplorable affair. The beam (which had been built into the house) was brought up by the purchaser to Pretoria. He states, and no doubt truly, that he obtained the historical relic for the purpose of adding it to the National Museum; but it must be added that the time was not well chosen unless the intention was to rouse feeling. The *Volksstem*, the Hollander-Boer organ, in an extremely violent article, described in detail the Slagter's Nek executions, and called upon the burghers to avenge on the persons of the Reformers their murdered countrymen; and it is a fact vouched for by persons by no means friendly to the Uitlander that certain Boers approached President Kruger, intimating to him that the beam had arrived, that it would not be necessary to bother about a trial, but that the four men should be hanged out of hand from the same scaffold which had served for their compatriots. It is but right to say that President Kruger's reply was a severe reprimand, and a reminder that they were not a barbarous people, but should comply with the law. The matter having been brought to the notice of Mr. Chamberlain, strong representations were made upon the subject, to which the Transvaal Government replied (forgetful apparently of the fact that the President had frequently urged his inability to control his burghers) that the Transvaal was a civilized State, that the burghers were law-abiding and peaceful people, and that their Government was at all times able to control them. It was interesting to see the argument of the burghers getting out of hand, which was used with such effect in the case of Dr. Jameson and quoted by Sir Hercules Robinson, recoil upon the head of its originator.

A final effort was made by the people of Johannesburg to obtain the release on bail of the four prisoners. A petition bearing the signatures of 20,000 persons was presented; the gentlemen bearing the petition were informed that it could not be received; that they must call again. Having called again and again, the petition was at last accepted and placed before the Government; but no reply was ever vouchsafed.

The treatment of this memorial is in sharp contrast with that accorded to the one presented by a score or so of the President's relatives and supporters—objecting to the release.

From the time of the arrests until just before the trial speculation was rife as to which judge would preside. The Chief Justice and Judge Ameshof could hardly sit (even allowing for the precedents already established by them), since they had both acted on the Government Commission in negotiating with the prisoners, and one of them had already given evidence against the accused. There remained Justices Jorissen, De Korté and Morice. Mr. De Korté was then threatened with suspension owing to pecuniary embarrassments, and would evidently not be allowed to preside. The fifth judge, Mr. Jorissen, had expressed himself so violently against the Reformers that he had himself recognized the impossibility of attaining an impartial attitude, and had refused to sit. The only judge available was therefore Mr. Justice Morice, against whom there was no valid objection whatever. Moreover, in the ordinary routine it so happened that it was his turn to preside at the forthcoming trial; but he was known to hold Liberal views and to be strongly in sympathy with internal reform.

At this time Chief-Justice Kotzé undertook several journeys to the Free State and Cape Colony, ostensibly to rid himself of insomnia, but in reality, as results proved, in order to employ a judge for this trial. His choice eventually fell upon Mr. Gregorowski, formerly a judge in the Free State, and at that time State-Attorney to that country.

Mr. Gregorowski was noted on the Bench for the peculiar severity of his sentences on all except Boers. He had moreover expressed openly in Bloemfontein his wish that he might have the trying of 'those Reformers; he would give them what for.' These things were not known at the time of the trial; nor had the fact yet come out that before taking the oath of office he had endeavoured to borrow from at least one of his colleagues a black cap for the forthcoming trial. His attitude at the time is sufficiently indicated by what he wrote shortly after the trial, in defence of his action, '*I came up to put down rebellion.* I have done so with a strong hand, and I believe that my judgment will bear good

fruit in the future.' The prisoners could not but contrast the action of the Government in employing and appointing, on approval, a judge who had no status whatever in the country, with their action in declining to allow Mr. Rose Innes to appear at the Bar on the pretext of his previous qualification not being in order; and it was felt to be ominous that an independent and upright judge, against whom there could be no objection, should be passed over, and another specially imported for the occasion.

The trial was at last fixed to take place on April 27, and the indictments were served upon the accused six days before that date. The following is the list of those who were committed for trial:

Lionel Phillips
Colonel F. W. Rhodes
George Farrar
J. H. Hammond
J. P. FitzPatrick
S. W. Jameson
G. Richards
J. L. Williams
G. Sandilands
F. Spencer
R. A. Bettington
J. G. Auret
E. P. Solomon
J. W. Leonard
W. H. S. Bell
W. E. Hudson
D. F. Gilfillan
C. H. Mullins
E. O. Hutchinson
W. van Hulsteyn
A. Woolls-Sampson
H. C. Hull
Alf. Brown
C. L. Andersson
M. Langermann
W. Hosken
W. St. John Carr
H. F. Strange
C. Garland
Fred Gray [1]
A. Mackie Niven
Dr. W. T. F. Davies
Dr. R. P. Mitchell
Dr. Hans Sauer
Dr. A. P. Hillier
Dr. D. P. Duirs
Dr. W. Brodie
H. J. King
A. Bailey
Sir Drummond Dunbar
H. E. Becher
F. Mosentnal
H. A. Rogers
C. Butters
Walter D. Davies
H. Bettelheim
F. R. Lingham
A. L. Lawley
W. B. Head
V. M. Clement
W. Goddard
J. J. Lace
C. A. Tremeer
R. G. Fricker
J. M. Buckland
J. Donaldson
F. H. Hamilton
P. du Bois
H. B. Marshall
S. B. Joel
A. R. Goldring
J. A. Roger
Thomas Mein
J. S. Curtis [2]

[1] Died in prison.

[2] Unable, owing to illness, to stand trial with the others. On recovery, Mr. Curtis returned to the Transvaal, and decided to plead 'not guilty,' whereupon proceedings were dropped.

The indictment served on all alike was as follows:

H. J. Coster, State Attorney of the South African Republic, who, on behalf of the State, prosecutes, brings to the notice of the Court:

That they (citing the accused), all and each or one or more of them, are guilty of the crime of High Treason:

Firstly: In that in or about the months of November and December in the year of our Lord one thousand eight hundred and ninety-five, the exact dates being unknown to the State Attorney, they, the said accused, at Johannesburg, Witwatersrand Goldfields, South African Republic, being citizens of, or residing in, this Republic, all and each or one or more of them wrongfully, unlawfully, and with a hostile intention to disturb, injure, or bring into danger the independence or safety of this Republic, treated, conspired, agreed with and urged Leander Starr Jameson, an alien, residing without the boundaries of this Republic, to come into the territory of this Republic at the head of and with an armed and hostile troop, and to make a hostile invasion and to march through to Johannesburg aforesaid.

Secondly: In that they (the said accused), being citizens of, or residing in, this Republic, all and each or one or more of them, there and then in conjunction with Charles Leonard and Dr. H. Wolff, now fugitives, and other persons unknown to the State Attorney, appearing and acting as a committee, by them named the 'Reform Committee,' after the above-mentioned Leander Starr Jameson, on or about December 29, in the year aforesaid, had come from without the Republic, at the head of and with an armed and hostile troop, in the neighbourhood of Ottoshoop, district Marico, into the territory of this Republic, and had made a hostile invasion, and had violently attempted to penetrate through to Johannesburg aforesaid, wrongfully, unlawfully, and with a hostile intention to disturb, injure, or bring into danger the independence or safety of this Republic, gave, or attempted to give, the aforementioned Leander Starr Jameson during his hostile invasion aforesaid information about the state of the defences at Johannesburg, and had armed troops ready to assist, and sent assistance to him, and subsequently by seditious speeches made, or caused to be made, in public, with the object to persuade and induce the people there to stand by the aforementioned Jameson in his hostile invasion, and further have assisted him, the aforementioned Jameson, during his hostile invasion above mentioned, by providing him with provisions, forage, and horses.

Thirdly: That in or about the month of December, in the year aforesaid, and in the month of January in the year one thousand eight hundred and ninety-six, exact dates not known to the State Attorney, at Johannesburg aforesaid, they (the said accused), being inhabitants of, and residing in, this Republic, all and each or one or more of them, then and there, in conjunction with Charles Leonard and Dr. H. Wolff, now fugitives, and other persons unknown to the State Attorney, appearing and acting as a committee named by them the 'Reform Committee,' wrongfully and unlawfully, and with a hostile intention to disturb, injure, or bring into danger the independence or safety of this Republic, have distributed, or caused to be distributed, amongst the population there, and in the neighbourhood thereof, Maxim guns, other weapons, arms, and ammunition; further, have enrolled men, or have caused them to be enrolled, and have formed them, or have caused them to be formed, into military corps; have erected there, or caused to be erected, earthworks and other fortifications.

Fourthly: In that in or about the month of December and the month of January, the exact dates being unknown to the State Attorney, and at Johannesburg aforesaid they (the said accused), being citizens of, and residing in, this Republic, all and each or one or more of them, then and there, in conjunction with Charles Leonard and Dr. H. Wolff, now fugitives, and other persons unknown to the State Attorney, appearing and acting as a committee called by them the 'Reform Committee,' wrongfully and unlawfully, with hostile intention to disturb, injure, or bring into danger the independence or safety of this Republic, have arrogated to themselves, and have exercised and caused to be exercised, the functions, and powers belonging to the authorities of this Republic; by violence, or by threats of violence, have compelled, or caused to be compelled, the police of this Republic stationed at Johannesburg aforesaid to leave the public squares and streets; have formed, or caused to be formed, their own police corps, and have provided that corps, or caused it to be provided, with guns and other arms; and further have appointed, or caused to be appointed, as head of that corps, Andrew Trimble, and have entrusted him with jurisdiction in police cases, in virtue whereof the aforementioned Andrew Trimble has passed sentence and caused it to be carried out.

In consequence of all which acts abovementioned the independence of this country was brought into danger, and its safety disturbed and impaired.

Wherefore the State Attorney, after due proof and conviction thereof, requests the judgment of this Court against said accused, according to law.

The general opinion based upon the character of the evidence adduced at the preliminary examination was that it would be impossible to sustain the charge of high treason; but the disclosure of the documents in the possession of the State Attorney put a different complexion upon the case. Then for the first time the members of the Reform Committee became aware of that factor in their case which has since become famous as 'de trommel van Bobby White'—Major Robert White's despatch-box—a veritable conjurer's hat, from which Mr. Kruger produced to an admiring and astonished world the political equivalents of eggs and gold-fish, pigeons and white mice. In this box (which was taken with the invading force at Doornkop) it appears Major White had brought as much of his previous correspondence as he could conveniently carry, together with diaries, note-books, code-books, cipher-keys, etc. Nor was this all. He had brought a copy of the letter of invitation, certified by himself as magistrate in the Bechuanaland Protectorate. Revelations at and subsequent to the trial show that the State Attorney, on discovering this copy and finding that as a copy it would not be admitted and that he might

experience some difficulty in proving it, prevailed upon Major White while in the Pretoria gaol to confirm his previous certificate, and to make an affidavit to the effect that he had compared the letter with the original, that it was a true copy, and that he had examined the signatures, and believed them to be the signatures of the persons indicated. The State Attorney alleges that he bargained with Major White for this affidavit, and in return surrendered to him certain private documents which had also been taken in the despatch-box. Major White on the other hand stated to the writer and to another member of the Reform Committee—Mr. H. C. Hull—that there is no truth in the allegation that he received a *quid pro quo;* but has no excuse to offer for making the affidavit, except that he—'*does not remember having done it.*'

The Reform prisoners, who, animated by a desire not to give any of their comrades away, had for a period of close upon four months borne all the abuse which could be heaped upon them, and had abstained from making any defence in public, or any of those revelations such as have since been made through the exertion of the Transvaal authorities, the Select Committee of the Cape House of Assembly, and the Bow Street officers, found to their inexpressible disgust that the efforts which they had made were rendered futile by the capture of these documents; and they were highly incensed at the action of one of the very men whose lives they believed they had saved by surrendering on January 7. The affidavit was looked upon as unpardonable, and the unnecessary statement regarding the genuineness of the signatures was interpreted in a very unpleasant sense.

Consultations now took place between Mr. Advocate Wessels and Mr. Richard Solomon, Q.C., of Kimberley, who had also been retained on behalf of the accused; and endeavours were made to obtain from the State Attorney details of the evidence which it was proposed to bring, but with only partial success. From the facts already known to them it was clear that the Government were determined to stretch every point in law to their own advantage and to indulge in few scruples as to the means to be employed to secure a conviction. The Judge, it was known, had been

specially imported for this trial, and provisionally appointed to a seat on the Bench. As the confirmation of his appointment was to take place when the Volksraad should meet, or at any rate at some period subsequent to the trial, it was not unnatural to regard his as a case in which a judge was appointed on approval, the appointment to be either confirmed or cancelled according to the satisfaction which he should give.

Appeal to the full bench of the High Court had already been proved to be entirely useless; since the only judges to whom appeal could be made were those who had in the earlier stages associated themselves with the Government against the Reform Committee, and later on in their judicial capacities confirmed the attitude taken up by them as patriots.

The options before the prisoners were therefore three in number. One course would be to enter upon a protracted trial before a Boer jury and a specially-appointed judge, with the certainty for the majority of an adverse verdict in any case. In such a trial numberless occasions would arise for the exercise of discretion in the admission or rejection of evidence, and any defence of the prisoners must necessarily partake of the character of an indictment against the Government and the faction which both judge and jury avowedly represented, and tend only to aggravate the penalty. They would moreover have to face that trial as a body of over sixty men, many of whom could have reasonably set up special defences, many of whom were not even mentioned in any evidence which the Government had yet secured (with the exception of course of Judge Ameshof's *privileged* list), and could therefore reasonably expect to be discharged on making individual defences. The second alternative was to decline to plead at all, on the ground that they had negotiated with the Government in good faith, and that a treacherous arrest and breach of understandings arrived at would not be recognised in any way by them—in fact, to refuse to condone treachery or take a hand in a farce. The third course was to plead guilty, and take a short cut on the best terms possible to what was realized to be a pre-arranged conclusion.

The second alternative was rejected, because it was found to be impossible to secure unanimity of action. In the course of the discussions upon the other alternatives, certain negotiations took place between the State Attorney Dr. Coster and Mr. Wessels, the result of which was that Dr. Coster made the following offer: If the leaders (the signatories to the letter of invitation) would consent to plead guilty to count 1 of the indictment, he would agree to withdraw as against them counts 2, 3, and 4; and in such case he would agree that the rank and file should plead guilty to counts 3 and 4 only, he withdrawing as against them counts 1 and 2. The matter was discussed by the prisoners, and objection was taken to that part of the indictment in which it was stated that the Reform Committee had acted 'with a hostile intention to disturb, injure or bring into danger the independence or safety of this Republic.'

Another meeting took place between the State Attorney and Mr. Wessels, at which Dr. Coster agreed to eliminate from the indictment against the rank and file the words objected to, provided that the leaders would plead guilty to count 1. Having arrived at this—to him—satisfactory conclusion, Dr. Coster remarked that they (*i.e.*, all except the four) were now charged with a merely nominal offence. Mr. Wessels endeavoured to obtain the same alteration in the indictment of the leaders, but this was refused on the ground that it would make the indictment ridiculous; and, *apropos* of the concession to the rank and file, Dr. Coster even expressed doubts as to whether, if the hostile intention were eliminated, any crime could be said to remain under the indictment. He however agreed to allow the four leaders to qualify their plea by a statement in writing which they were to put in at the same time. He stated that he would have *pro forma* to put in some evidence of the offence, but undertook not to press for exemplary punishment, and moreover promised that he would not dispute or question the statement to be put in, provided that it contained no material error in fact.

A discussion then followed as to the law under which the trial would take place. Mr. Wessels urged that, as there was specific provision in the statute law for cases of this nature, the statute law would of course apply in preference to

Roman-Dutch law. Dr. Coster said he presumed that this would be the case, but that he was not quite sure whether Roman-Dutch law would not apply. He added however that anything he could say would not be binding upon the judge, who could alone decide as to the question of law.

Mr. Wessels's report to his clients induced the rank and file to agree under the altered circumstances to the third alternative, namely, pleading guilty, and they agreed to this under the impression, which without doubt had been suggested and deliberately fostered by the Government, that they were pleading guilty to a nominal offence, and would incur a monetary penalty in proportion.

In consultation with the leaders, Mr. Wessels reported the discussions with Dr. Coster as above given. Both he and Mr. Solomon represented to them the gravity of the plea, and said that there was the possibility that the judge would invoke Roman-Dutch law and ignore the laws of the country, in which case it would be in his power to pass sentence of death. In their opinion, they added, and in the opinion of Mr. Rose Innes and others, this would be a monstrous straining of the law, yet they felt bound to indicate the possibility.

The course before the prisoners was not indeed an attractive one, but it was not without its recommendations. It would have been infinitely preferable to fight it out had there been a chance of a good fight, if even a losing one; but, apart from a verdict of guilty being an absolute certainty, the circumstances were against any possibility of effecting anything like a strong impeachment of the Government. Moreover, the course now proposed would prevent any 'giving away' of Dr. Jameson, who had yet to be tried, and of others; and it also removed the necessity for individual defences by those among the prisoners who had been involved in a less degree than others. The matter at that time appeared in one way to concern the leaders only. If they were willing to take upon themselves the burden of the charge and secure the acquittal of others by accepting the full responsibility, it could only be regarded as a chivalrous act. But there were some among the other

the prisoners—'Irreconcilables,' as they were called—who considered themselves equally responsible with the leaders, who strongly objected to shifting any portion of their responsibility upon others, and who desired to stand with those who were prepared to bear the brunt of the charge. To them the suggestion to plead guilty was as gall and wormwood, and was regarded as another humiliation which they were required to endure, another climbing-down similar to the disarmament, and attended, like it, with exasperating and baffling complications and involvements that made refusal an impossibility. The one call to which these men would respond was the call to stand together and have no divisions—a cause for which they were still to make many sacrifices. The irony of it was that in order to 'stand together' they had to agree to segregation.

Dr. Coster would accept no further modification or variation of his terms—there was no option to individuals to plead not guilty and fight it out, except at the cost of involving all the others, nor was there any option to them to plead with the leaders. One other factor in the determination of this policy remains to be noted. The communications already recorded as having passed between some of the members of the Reform Committee and Dr. Jameson, after the latter had actually invaded the country, and some evidence as to the arrangements made for the reception and camping of his force, were in the hands of the Government, and these were sufficient to convict every member of the Reform Committee under count 2 of the indictment in a trial before a Boer jury and by a special judge. Conviction under count 1 was assured by the letter of invitation and the admissions in the 'privileged' meeting with the Government Commission. Conviction under count 2 would be a distinct aggravation of the position of the four—or so it seemed then—whilst it would be a most serious thing for the rank and file; and it was finally decided to plead in accordance with the suggestion of the State Attorney. The decision was conveyed to this gentleman and by him to the President, who expressed his 'satisfaction' at a course which would enable him to 'deal magnanimously with the prisoners,' no doubt in pursuance of the policy of 'Forget and Forgive.' When, as a convincing proof of the wisdom of the

decision to plead guilty, the 'satisfaction' of the President was made known to the Irreconcilables, they remarked that this was the worst sign that they had yet detected, but others were more hopeful.

As to the soundness of the advice on which the prisoners pleaded, it may be observed that Messrs. Gregorowski and Coster have both since then expressed the opinion that there was sufficient evidence to convict one and all of high treason, and they should know what would have been considered 'sufficient.' The latter added that the prime movers were of course guilty; but they at any rate had tried to stop Jameson, whilst those who joined the Reform Committee in the later stages were morally worse, since they had only joined when and because they knew that he had invaded the country. Mr. Gregorowski, at a later stage, defended his sentence on the leaders, but feared he had been 'far too lenient with the others.' It would be unfair therefore to suggest that the advice on which the prisoners had decided to act was other than sound wise and proper in the circumstances. That it should afterwards appear that the other parties to the arrangement had acted with deliberate duplicity and bad faith cannot be laid as a charge against the gentlemen who gave this advice, and whose only fault, if fault it be, was that their instincts, their principles, and their training precluded the suspicion of treachery.

The trial commenced on April 24, when the prisoners were arraigned, after which an adjournment was made until the 27th, in order to allow three of the prisoners who were then travelling up to take their trial to arrive. On the latter date, all being present, and pleas of guilty having been recorded, the State Attorney put in the cipher telegrams, the minutes of the 'privileged' meeting between the Government Commission and the deputation of the Reform Committee, none of which had been produced in evidence, and the record of evidence taken at the preliminary examination. Mr. Wessels then read and put in the following statement of the four leaders:

For a number of years endeavours have been made to obtain by constitutional means the redress of the grievances under which the Uitlander population labours. The new-comer asked for no more than is conceded

to emigrants by all the other Governments in South Africa, under which every man may, on reasonable conditions, become a citizen of the State; whilst here alone a policy is pursued by which the first settlers retain the exclusive right of government.

Petitions supported by the signatures of some 40,000 men were ignored; and when it was found that we could not get a fair and reasonable hearing, that provisions already deemed obnoxious and unfair were being made more stringent, and that we were being debarred for ever from obtaining the rights which in other countries are freely granted, it was realized that we would never get redress until we should make a demonstration of force to support our claims.

Certain provision was made regarding arms and ammunition, and a letter was written to Dr. Jameson, in which he was asked to come to our aid under certain circumstances.

On December 26 the Uitlanders' Manifesto was published, and it was then our intention to make a final appeal for redress at the public meeting which was to have been held on January 6. In consequence of matters that came to our knowledge we sent on December 26 Major Heany (by train viâ Kimberley), and Captain Holden across country, to forbid any movement on Dr. Jameson's part.

On the afternoon of Monday, December 30, we learnt from Government sources that Dr. Jameson had crossed the frontier. We assumed that he had come in good faith to help us, probably misled by some of the exaggerated rumours which were then in circulation. We were convinced, however, that the Government and the burghers would not in the excitement of the moment believe that we had not invited Dr. Jameson in, and there was no course open to us but to prepare to defend ourselves if we were attacked, and at the same time to spare no effort to effect a peaceful settlement.

It became necessary to form some organization for the protection of the town and the maintenance of order; since, in the excitement caused by the news of Dr. Jameson's coming, serious disturbances would be likely to occur, and it was evident that the Government organization could not deal with the people without serious risks of conflict.

The Reform Committee was formed on Monday night, December 30, and it was intended to include such men of influence as cared to associate themselves with the movement. The object with which it was formed is best shown by its first notice, viz.:

'Notice is hereby given that this Committee adheres to the National Union Manifesto, and reiterates its desire to maintain the independence of the Republic. The fact that rumours are in course of circulation to the effect that a force has crossed the Bechuanaland border renders it necessary to take active steps for the defence of Johannesburg and preservation of order. The Committee earnestly desire that the inhabitants should refrain from taking any action which can be construed as an overt act of hostility against the Government. By order of the Committee,

'J. PERCY FITZPATRICK,
'*Secretary.*'

The evidence taken at the preliminary examination will show that order was maintained by this Committee during a time of intense excitement, and through the action of the Committee no aggressive steps whatever were taken against the Government, but on the contrary, the property of the Government was protected, and its officials were not interfered with.

It is our firm belief that had no such Committee been formed, the intense excitement caused by Dr. Jameson's entry would have brought about utter chaos in Johannesburg.

It has been alleged that we armed natives. This is absolutely untrue, and is disposed of by the fact that during the crisis upwards of 20,000 white men applied to us for arms and were unable to get them.

On Tuesday morning, December 31, we hoisted the flag of the Z.A.R., and every man bound himself to maintain the independence of the Republic. On the same day the Government withdrew its police voluntarily from the town and we preserved perfect order.

During the evening of that day, Messrs. Marais and Malan presented themselves as delegates from the Executive Council. They came (to use their own words) to 'offer us the olive branch,' and they told us that if we would send a deputation to Pretoria to meet a Commission appointed by the Government, we should probably obtain 'practically all that we asked for in the Manifesto.'

Our deputation met the Government Commission, consisting of Chief Justice Kotzé, Judge Ameshof, and Mr. Kock, member of the Executive.

On our behalf our deputation frankly avowed knowledge of Jameson's presence on the border, and of his intention, by written arrangement with us, to assist us in case of extremity.

With the full knowledge of this arrangement, with the knowledge that we were in arms and agitating for our rights, the Government Commission handed to us a resolution by the Executive Council, of which the following is the purport:

'The High Commissioner has offered his services with a view to a peaceful settlement. The Government of the South African Republic has accepted his offer. Pending his arrival, no hostile step will be taken against Johannesburg, provided Johannesburg takes no hostile action against the Government. In terms of a certain proclamation recently issued by the President, the grievances will be earnestly considered.'

We acted in perfect good faith with the Government, believing it to be their desire, as it was ours, to avert bloodshed, and believing it to be their intention to give us the redress which was implied in the 'earnest consideration of grievances.'

There can be no better evidence of our earnest endeavour to repair what we regarded as a mistake on the part of Dr. Jameson than the following offer which our deputation, authorized by resolution of the Committee, laid before the Government Commission:

'If the Government will permit Dr. Jameson to come into Johannesburg unmolested, the Committee will guarantee, with their persons if necessary, that he will leave again peacefully as soon as possible.'

We faithfully carried out the agreement that we should commit no act of hostility against the Government; we ceased all active operations for the defence of the town against any attack, and we did everything in our power to prevent any collision with the burghers—an attempt in which our efforts were happily successful.

On the telegraphic advice of the result of the interview of the deputation with the Government Commission, we despatched Mr. Lace, a member of our Committee, as an escort to the courier carrying the High Commissioner's despatch to Dr. Jameson, in order to assure ourselves that the despatch would reach its destination.

On the following Saturday, January 4, the High Commissioner arrived in Pretoria. On Monday, the sixth, the following telegram was sent to us:

'Pretoria, *January* 6, 1896.

'*From* H.M.'s AGENT *to* REFORM COMMITTEE, *Johannesburg*.

'*January* 6.—I am directed to inform you that the High Commissioner met the President, the Executive, and the Judges to-day. The President announced the decision of the Government to be that Johannesburg must lay down its arms unconditionally as a [condition] precedent to a discussion and consideration of grievances. The High Commissioner endeavoured to obtain some indication of the steps which would be taken in the event of disarmament, but without success, it being intimated that the Government had nothing more to say on this subject than had already been embodied in the President's proclamation. The High Commissioner inquired whether any decision had been come to as regards the disposal of the prisoners, and received a reply in the negative. The President said that as his burghers, to the number of 8,000, had been collected and could not be asked to remain indefinitely, he must request a reply "Yes" or "No" to this ultimatum within twenty-four hours.'

On the following day Sir Jacobus de Wet, H.M.'s Agent, met us in committee, and handed to us the following wire from his Excellency the High Commissioner:

'HIGH COMMISSIONER, *Pretoria, to* SIR J. DE WET, *Johannesburg*.

'*Received Johannesburg* 7.36 *a.m., January* 7, 1896.

'*Urgent*—You should inform the Johannesburg people that I consider that if they lay down their arms they will be acting loyally and honourably, and that if they do not comply with my request they forfeit all claim to sympathy from Her Majesty's Government, and from British subjects throughout the world, as the lives of Jameson and prisoners are practically in their hands.'

On this, and the assurance given in the Executive Council resolution, we laid down our arms on January 6, 7, and 8; on the 9th we were arrested, and have since been under arrest at Pretoria, a period of three and a half months.

We admit responsibility for the action taken by us. We frankly avowed it at the time of the negotiations with the Government, when we were informed that the services of the High Commissioner had been accepted with a view to a peaceful settlement.

We submit that we kept faith in every detail in the arrangement with the Government; that we did all that was humanly possible to protect both the State and Dr. Jameson from the consequence of his action; that we have committed no breach of the law which was not known to the Government at the time that the earnest consideration of our grievances was promised.

We can only now lay the bare facts before the Court, and submit to the judgment that may be passed upon us.

(Signed) LIONEL PHILLIPS.
FRANCIS RHODES.
Pretoria, April 24, 1896. GEORGE FARRAR.

I entirely concur with the above statement.

(Signed) JOHN HAYS HAMMOND.
Pretoria, April 27, 1896.

An incident which occurred during the reading of this statement enabled the prisoners to realize how poor would have been their chance of a fair trial before a Boer jury. On the right hand of the judge seats had been reserved for higher officials. Several members of the Executive were present in this quarter, and amongst them in a very prominent position and facing the quarter reserved for the burghers sat Mr. Wolmarans, a member of the Executive Council. When Mr. Wessels came to that portion of the statement referring to the negotiations with the Executive Council, Mr. Wolmarans at first smiled superciliously, then turned and addressed a remark to one of his colleagues, shrugging his shoulder at the same time, and at the conclusion of the reference looked across the room to where the jurymen sat, still smiling and shaking his head slowly and continuously for half a minute. To men accustomed to the decencies of British Courts of Justice this incident was rather revolting. When it is remembered that the Government refused to produce the minute referred to, and that through their representatives they claimed 'privilege' for the interview at which it was given, in order to absolve themselves from appearing in Court, and that Mr. Wolmarans himself sent the message to the Rand that the Government by the withdrawal of its police gave practical evidence of holding out the olive-branch, his conduct appears the more unprincipled.

The State Attorney in a purely formal address, in consonance with his promise to Mr. Wessels not to seek exemplary punishment, asked for punishment according to law. Mr. Wessels in reply made an eloquent appeal on behalf of the accused and recited the circumstances which led to their seeking redress in the manner in which they did. He referred to the negotiations with the Government, to the part played by the Reform Committee in the maintenance of order, to the fidelity with which they had fulfilled their undertakings with the Government, and to their attitude towards Dr. Jameson. His references to the Government and to the existing abuses were made as judiciously as possible. He referred candidly to the relationship with Dr. Jameson, especially alluding to the efforts made to protect him from the results of his own action and to stand by him

even at the cost of personal sacrifice, and claimed that such action towards their former colleague within the limits set by them did not necessarily imply treason against the independence of the State, but should fairly entitle the prisoners to sympathy for their efforts to save a quondam colleague, however wrong he might have been. On the point of law, Mr. Wessels claimed that the Thirty-three Articles formed the basis of the State's law, that there was specific provision for such cases as this in those Articles, and that the punishment to be meted out to the prisoners should be in accordance with these statutes, modified as the Court in its judgment might deem fit.

No sooner had Mr. Wessels resumed his seat than Dr. Coster, as was then thought, repenting the fulfilment of his promise and casting off all disguise, or, as is more probable, carried away by an over-mastering excitement and strong personal and racial feeling and stimulated by concentration upon one aspect only of the case, claimed the right to address the Court again after the advocate for the defence had spoken. Dr. Coster has the reputation among those who know him of being a thoroughly honourable and straightforward gentleman. As a Hollander no doubt he felt deeply in a matter in which Hollanderism was the *casus belli;* as public prosecutor it was his duty to prosecute, not to judge ; and one prefers to think that in peculiar and trying circumstances he forgot the pledge he had given and remembered only the cause of his party. In a short but very violent speech he depicted in the blackest terms the actions of the men against whom he had agreed not to seek exemplary punishment, and pointing out the provisions of the Roman-Dutch law, claimed that the Court should apply it in this case in preference to the statutes of the country, and demanded from the Court the severest possible penalty which could be imposed under that law and under the Thirty-three Articles and the Gold Law as well. With reference to the last-named, Dr. Coster having mentioned the provision regarding the confiscation of property, said that upon this point he would not speak but would leave the matter to the judgment of the Court. The Court was then adjourned until the morning of the 28th, ostensibly in order to enable the judge to consider the evidence and make up his mind.

The majority of the prisoners, utterly unsuspicious of what lay before them, made all necessary arrangements to return to their homes and avocations upon the conclusion of the trial, believing that a nominal fine would be the penalty imposed. Many of them had taken return tickets from Johannesburg available for two days. The public throughout the Transvaal and South Africa anticipated nothing more than a nominal punishment upon the majority and a fine of a few thousand pounds upon the signatories to the letter of invitation.

Some of the prisoners however were better informed. News had been obtained some days before the trial commenced that extra accommodation was being prepared in the gaol, avowedly to provide for the Reformers. Two of the accused visited the gaol and verified this. Others of the accused, few in number, were informed by personal friends who had special means of getting information in Pretoria that imprisonment would be the lot of all and that the punishment on the leaders would be extremely severe; and they provided for this contingency accordingly. The manager of the Government newspaper in Pretoria informed two or three of those interested that the sentence of death would be passed upon the four leaders, as this had been arranged; and men closely associated with the leaders themselves had been confidentially informed beforehand that it was the intention of the Government to pass sentence of death, and that the matter was a cut-and-dried one. The information was given with a view to preparing the prisoners for what awaited them.

On approaching the temporary Court-house (the Pretoria Market Buildings having been altered for this purpose) on the morning of the sentence, it was perfectly evident that some serious development was afoot. The town was thronged with mounted burghers, State artillery, and mounted and foot police. Every approach to the Court was guarded and the streets were patrolled. Most of the population of Pretoria were gathered in the Market Square, endeavouring to gain admittance to the Court. The prisoners were arranged in their former places in a special quarter of the building railed off for the purpose, with the exception of Messrs. Phillips,

Farrar, Rhodes and Hammond, who were separated from the rest and placed in a special movable dock, which had been carried in over the heads of the people after the hour appointed for the sitting of the Court. The appearance of this dock was recognized by all to be ominous, but some relief from the feeling of foreboding was experienced when Judge Gregorowski after taking his seat was observed to smile several times and to make some jocular remark to one of the officials of the Court. The faces of the officials however damped any hopes that were built upon the judge's genial appearance.

Many of these gentlemen were personal and intimate friends of the prisoners: some were connected by closer ties; and one of the most trying experiences for the prisoners was to witness the complete breakdown of the minor officials employed in the carrying out of this tragic farce. The judge's first order was for the removal of all ladies. The wives and relatives of many of the prisoners had been warned by them beforehand of what was likely to happen and had accordingly absented themselves, but there were nevertheless a good number of ladies present. Judge Gregorowski then took the case in hand, passed in review the circumstances, and dealt with much of the evidence, including that taken at the preliminary examination and the documents put in by Government which had not yet been seen by the prisoners' advisers. He made no reference to the statement of the principal accused, subject to which their plea of guilty had been made and accepted. He reviewed the law, and by a method of reasoning which has not commended itself to others he justified himself for setting aside special statutes and applying the Roman-Dutch law instead. In conclusion, he stated that he held the signatories of the letter to be directly responsible for the shedding of the burghers' blood at Doornkop, that he would therefore pass upon them the *only punishment possible* under Roman-Dutch law—namely death, and that whatever hope there might be in the merciful hearts of the Executive Council and in the President's great magnanimity, they should remember that in no other country would they have the slightest grounds for hope. The usual question as to whether there were any reasons why sentence of death should not be passed upon them having

been put and the usual reply in the negative having been received, in the midst of silence that was only disturbed by the breaking down of persons in various parts of the hall—officials, burghers, and in the general public—sentence of death was passed, first on Mr. Lionel Phillips, next on Colonel Rhodes, then on Mr. George Farrar, and lastly on Mr. Hammond. The bearing of the four men won for them universal sympathy and approval, especially under the conditions immediately following the death sentence, when a most painful scene took place in Court. Evidences of feeling came from all parts of the room and from all classes of people: from those who conducted the defence and from the Boers who were to have constituted the jury. The interpreter translating the sentence broke down. Many of the minor officials lost control of themselves, and feelings were further strained by the incident of one man falling insensible.

Sentence was next passed upon the other prisoners. They were condemned to suffer two years' imprisonment, to pay a fine of £2,000 each, or as an alternative suffer another year's imprisonment, and thereafter to be banished from the State for a period of three years. It was added that the question of confiscation of their property would be one for the Executive to deal with.

The action of Mr. Gregorowski has been variously described, but at no time more graphically than at the time of the sentence, when a sergeant of police who was guarding the prisoners exclaimed in the peculiar Dutch idiom: 'My God! he is like a dog: he has bitten and chewed and guzzled!'

After passing the minor sentences the judge gave a short address to the burghers, in which he thanked them for their attendance and made allusion with evident signs of satisfaction to the manner in which the trial had been brought to a conclusion. A long delay followed during which the judge proceeded to note his judgments. Once his attention was drawn by a remark of an official to which he replied promptly, at the same time breaking into a broad smile, but suddenly recollecting the circumstances and the presence of the men sentenced to death, placed his hand over his mouth and wiped the smile away. The incident was of course noticed by many people in Court and helped to strengthen the impression

which a limited but sufficient experience of Mr. Gregorowski had already created.

If the belief which now obtains, that the Reformers were enticed to plead guilty and misled as to the probable consequences of that plea, should outlive personal feelings and leave a permanent mark in South African history, it will be because it survives a searching test. In South Africa—as in many other countries—it is the invariable practice of the Courts to decline to accept the plea of guilty to a capital charge. The prisoner is informed that as the plea involves capital punishment it will not be accepted; and a formal trial and sufficient evidence of the crime are required by the Court. That is done even in cases where the prisoner knows what the punishment will be! In the case of the Reformers the State Attorney had, it is true, informed Mr. Wessels that he would be obliged *pro forma* to put in certain evidence, but the reason was not given, and Mr. Wessels regarded it merely as the *quid pro quo* for accepting unquestioned the written statement of the four accused! Mr. Gregorowski in defending his sentence has stated that under Roman-Dutch law he had no option but to pass sentence of death. Yet contrary to the custom with which seventeen years' practice had made him familiar he accepted the plea of guilty—and accepted it without a word of explanation or of warning! Is it surprising that people should want to know why?

The men were removed from Court under very heavy escort, the condemned men being conveyed in a closed carriage and the rest of the prisoners being marched through the streets to the gaol, the whole party moving at a foot pace. A little incident at the start did not fail to attract attention. The officer commanding a section of the guard having issued his orders in Dutch and some confusion having ensued, the orders were repeated *in German*, with a satisfactory result.

One more incident—trifling perhaps in itself but leaving an ineffaceable impression—occurred during the march to the gaol. As the prisoners slowly approached the Government buidings, Dr. Leyds accompanied by one friend walked out until within a few yards of the procession of sentenced men (a great proportion of whom were personally well known to him) and stood there with his hands in his pockets smiling at them

as they went past. The action was so remark[illegible] expression on the State Secretary's face so unmi[illegible] that the Dutch guards accompanying the prisoners ex[illegible] their disgust. His triumph no doubt was considerat[illegible] the enjoyment must have been short-lived if the a[illegible] given by other members of the Executive of his beha[illegible] month later are to be credited. The man who stood ir[illegible] and smiled in the faces of his victims was the same Dr. [illegible] who within a month became seriously ill because som[illegible] and impetuous friend of the prisoners sent him an anony[illegible] letter with a death's head and cross-bones; who as a [illegible] obtained from Government a guard over his private h[illegible] and who thereafter proceeded about his duties in P[illegible] under armed escort.

It is stated that the death sentence was commut[illegible] same afternoon, but no intimation of this was given [illegible] prisoners and no public announcement was made until t[illegible] four hours later. In spite of the vindictive urgings [illegible] Hollander newspaper, the *Volksstem*, few could belie[illegible] the death sentence would be carried out and most [illegible] recognized that the ebullitions of that organ expres[illegible] feelings of only a few rabid and witless individuals [illegible] the Hollanders themselves and were viewed with di[illegible] the great majority of them. At the same time the [illegible] court had been such as to show that the Government [illegible] the officials and Boers then present—had not regarded the death sentence as a mere formality, but had, on the contrary, viewed it as a deliberate and final judgment. In such circumstances therefore it can be believed that the prisoners themselves were not without misgivings.

CHAPTER IX.

LIFE IN GAOL.

IN the Transvaal no distinction is made between ordinary criminals and those who in other countries are recognized as first-class misdemeanants. Consequently the Reformers, without regard to the nature of their offence, their habits, health, age, or condition, were handed over to the gaoler, Du Plessis, a relative of President Kruger, to be dealt with at his kind discretion. For two days the prisoners existed on the ordinary prison fare. The majority being men in the early prime of life and in excellent health, suffered no ill effects, preferring to do with little or no food rather than touch that which was doled out to them; but to the others it was a rather serious thing. There were several men between fifty and sixty years of age whose lives had been spent under favourable conditions. There were some suffering from consumption, one from diabetes, one from fever, one from dysentery, and several others from less dangerous but sufficiently serious complaints. All alike were compelled to sleep upon the floor, with two thin blankets for protection. They were locked in at 6 p.m., and allowed out at 6 a.m. Sanitary accommodation was represented by the presence of a couple of buckets in the sleeping room. The air-space per man worked out at 145 cubic feet as against 900 feet prescribed by English prison regulations. Ventilation was afforded on the one side by square holes cut in the corrugated iron walls of the shed,[1] and on the other (the buildings being lean-to's against the

[1] This was done on the second day—after a night without any ventilation at all.

permanent prison buildings) by grated windows opening into the native cells. Needless to say, these grated windows were originally intended to afford ventilation to the native cells, but the buildings to accommodate the Reformers had been erected against the side-walls of the Kaffir quarters. The stench was indescribable. At 6 a.m. the prisoners were allowed out into the yard, where they had the option of exercising throughout the day. The lavatories and bathing arrangements consisted of a tap in the yard and an open furrow through which the town water ran, the lower end of which was used as a wash-place by prisoners, white and black alike. Within a foot or two of the furrow where alone washing of the person or of clothing was allowed stood the gaol urinals. There was neither adequate provision in this department nor any attempt at proper supervision, the result being that through irregularities, neglect, and defective arrangement the ground on both sides of the water-furrow for six or eight yards was horribly stained and saturated by leakage. Many of the prisoners could not approach this quarter without being physically ill. Without further detail it may be stated that there were at that time over 250 prisoners, about 100 of whom were white. There were three closets and six buckets for the accommodation of all, and removals took place sometimes once a day, sometimes once in every four days. Nothing but the horror of such conditions, and the fact that they prevail still in Pretoria Gaol, and presumably in other gaols more removed from critical supervision, could warrant allusions to such a disgusting state of affairs.

At 6.15 breakfast was served. A number of tin dishes, containing one pound of mealie-meal porridge (ground maize) each were placed in a row on the ground in the yard in the same manner as a dog's food might be set out. A bucket near by contained some coarse salt in the condition in which it was collected in the natural salt pans, the cubes varying from the size of peas to the size of acorns. No sugar, milk, tea, or coffee, was allowed. In order to utilize the salt the prisoners were obliged to crush it with rough stones on the cement steps. Needless to say, but few partook of this food. To those who had not tasted it before in the course of prospecting or up-country travelling where conditions are some-

times very hard, it was no more possible to swallow it than to eat sawdust.

Dinner was at twelve o'clock, and it consisted of coarse meat boiled to that degree which was calculated to qualify the water in which it was boiled to be called soup, without depriving the meat of all title to be considered a separate dish. With this meal was also served half a pound of bread. Supper, which was provided at five o'clock, was exactly the same as breakfast.

Two days of this fare told very severely upon those whose physical condition was not of the best. By the third day several of the older men and those in ill-health had broken down and were placed on hospital fare. Matters were sufficiently serious to induce the authorities to allow gradual amelioration of the conditions, and by degrees food of a better class was introduced. Mattresses and other articles of bedding were allowed, but stretchers although provided for in the prison regulations were denied to the men until a few hours before their release a month later, when the prisoners were permitted by the gaoler to purchase them, no doubt with an eye to reversion to him in the course of a few hours. From time to time the regulations as to food were varied at the whim of the gaoler. On one day only cooked food would be allowed in; on another only raw food; on a third nothing but tinned stuff; on a fourth all was turned back at the gates with the exception of that obtained by a few individuals at a heavy premium.

A day or two after the passing of sentence representations were made to the prisoners, excluding the four death-sentence men, that it would be advisable to appeal to the clemency of the Government for some mitigation. In that case, it was stated, there was every reason to believe that the sentence of imprisonment would be entirely remitted and that the sentence of banishment would also be commuted. The individuals from whom this suggestion first came were of the class which habitually trades between the Government and the public—the gentlemen of the backstairs. For this reason some of the prisoners gave considerable credence to the reports, whilst others for the very same reason would have nothing whatever to do with them. Hence arose a condition

of things very like a deadlock among the prisoners themselves. It was represented by these agents that it would be worse than useless for some of the prisoners to petition if many others refused to do so and stood out. Some of the prisoners did actually petition—a course of action which was strongly condemned by others; but it should be borne in mind that there were among the prisoners many men who were in bad health and poor circumstances, who had heavy responsibilities in private life, and who were not only unable to pay their fines, but even unable to make any provision for their families during incarceration. Such conditions would tend to shake the nerve of most men.

With this nucleus to work upon the Government through their agents began a system of terrorism by which they hoped to establish conditions under which their 'magnanimity by inches' would appear in the most favourable possible light. The first petition presented for the signature of the prisoners was one in which they were asked to admit the justice of their sentences, to express regret for what they had done and to promise to behave themselves in the future. The document closed with an obsequious and humiliating appeal to the 'proved magnanimity of the Government.' The reception accorded to this was distinctly unfavourable, copies of the petitions being in some instances torn up and flung in the faces of those who presented them. The great majority of the prisoners refused to have anything to do with them, and on representing the view that any appeal so couched was not consistent with their self-respect, they were informed that the petition had already been shown to the President and members of the Executive Council and had been approved by them and that it would not look well to alter it now.

Every effort was made for some days to induce the prisoners to sign this document, but they refused. A certain number of the men were opposed to signing anything whatever, even the most formal appeal to the Executive Council for a revision of sentence. They based their refusal upon two reasons: 1st, that they had been arrested by an act of treachery and tried by a packed Court, and if the Executive recognized the injustice of the sentence they might act

spontaneously without petition from the prisoners; 2nd, that they believed that any document however moderate which they might sign would only be the thin end of the wedge by which the Government hoped to introduce the principle of individual statements and pleas—that is to say each one to excuse himself at the expense of his neighbour, and thus enable the authorities to establish by the prisoners' own confessions the extent of the guilt and complicity which they had been unable to prove.

Under such conditions an appeal was made to Messrs. Rose Innes, Q.C., and Solomon, Q.C. These gentlemen had remained in Pretoria and devoted their time and energies to obtaining some amelioration of the conditions of imprisonment and some mitigation of the sentences imposed upon the Reformers. The petition as presented by the Government was shown to Mr. Innes, who indignantly rejected the suggestion of signing any such document. As the strongest reason adduced in favour of signing petitions was the statement that according to law and custom it was impossible for the Government to take cognizance of the prisoners' case even with every desire to mitigate the punishment unless it was brought before them by direct appeal, Mr. Innes undertook to see the President and Chief-Justice Kotzé on the subject. By this time further suggestions had been made on the subject of petitions, and the prisoners were being urged among other things to name in plain terms the extent and manner in which they would like their sentences commuted. This proposal was regarded as a preposterous and ridiculous one; but nothing is too ridiculous for Pretoria and it was necessary to deal seriously with it.

In these circumstances, Mr. Rose Innes interviewed the Chief Justice, in order to get the highest authority in the country as a guide. Mr. Kotzé would not at first express an opinion as to whether petitions should be sent in, but he was evidently inclined to recommend them as politic. 'But,' said Mr. Innes, 'it is not a question of policy; it is a matter of law. Is there anything in the law which renders it necessary for a prisoner to petition before his sentence may be revised by the Executive — anything which debars the Executive from dealing with his case if he does not

petition?' Mr. Kotzé's answer was clear: 'No, certainly not—nothing whatever!'

In the interview with the President which took place immediately after this Mr. Innes was brusquely informed that petitions from the prisoners were of no value, and would receive no consideration; that the President did not want any of their petitions; and that he was guided solely by his burghers, who had already petitioned in the matter. 'I would pay more heed,' said Mr. Kruger, 'to a petition from fifty of my burghers than to one from the whole of Johannesburg.' At the conclusion of an unpleasant interview, which called for all the tact and good temper at the command of the gentleman who was interesting himself on behalf of the prisoners, the President added in an offhand manner, 'The petitions can do no harm and might strengthen my hands in dealing with the rest of the Executive; so they can send them in if they like.'

With this answer Messrs. Innes and Solomon returned to the gaol, and after informing the prisoners of what had taken place advised them, under the circumstances, to make a formal but respectful appeal for a revision of the sentences. It was their opinion, based upon the information which they had at great pains gathered, and it was also the opinion of the Chief Justice, that no petition was necessary, and that the sentences would be brought under the consideration of the Executive by the memorials of the burghers; but they considered that as interested persons or indiscreet friends had already suggested the idea of petitions, and as a refusal now to sign anything might have a very unfavourable effect upon persons with the disposition and character of those with whom they had to deal, it would be advisable to make an appeal so worded as to formally comply with the requirements of the extreme party in the Executive; one which would satisfy those of the prisoners who were in favour of appealing, and would not be offensive to those who were against petitions at any cost.

The strongest reason for urging this was to preserve unanimity of action among the prisoners. The course was in fact a compromise designed to satisfy those who considered a petition of some sort to be necessary, and those

who would not as they expressed it 'sacrifice their self-respect' by asking for anything from the people who had treated them in what they deemed to be a dishonest and treacherous manner.

All the prisoners except Messrs. A. Woolls-Sampson and W. D. (Karri) Davies agreed to this: many did so much against their own wishes because of the appeal to stand together, and because it was strongly urged that their obstinacy would affect not only themselves but would prevent the liberation of others whose circumstances were almost desperate. They yielded—it is true—but remained unconvinced. To Messrs. Sampson and Davies the answers of the Chief Justice and the President are now of considerable importance, since the reason given for their detention involves the repudiation of the assurances given by the President and Chief Justice.

Those who had not signed any other form of appeal now made a formal application to have their sentences brought into review by the Executive Council. They stated then their belief that it was only the beginning of the petition business that it would be wholly ineffective and that it was to be understood that they would sign no more under any circumstances. This application was deemed by the emissaries of the Government to be sufficient to comply with the requirements, and promises were conveyed to the prisoners that the sentences would be at once taken into consideration and commutations announced. In the course of a day or two however further demands were made, and the prisoners were informed that they would be dressed in prison garb under severer regulations specially passed for them unless they at once petitioned against this course.

Again Mr. Innes represented their case to the Government at the dictate of his own feelings of humanity, and not prompted thereto by the prisoners themselves, most of whom would have been glad to see the Government wreak their vengeance in petty and vindictive provisions. The proposed alterations were however abandoned without protest from the prisoners after the supply of convict garb had been sent up to the gaol. So matters went on day by day, each day bringing its fresh instalment of threats

promises and cajoleries, each morning its batch of disappointments. It was at first difficult to say what object the Government had in view in endeavouring to compel the Reformers to sign petitions, unless it were the unworthy one of desiring to humiliate men who were already down, or the perhaps more contemptible one of forcing them to turn informers by a process of self-excusing and thus enable them to differentiate in the commutations. The fact remained that repeated efforts were made and pressure brought to bear upon the men to induce them to sign. One pretext after another was used. Finally the naked truth came out: the Government required each man to state in an individual declaration the extent of his guilt the extenuating facts and the circumstances under which he became associated with the Reform movement. This was exactly what had been foretold by men who understood Boer methods.

The means resorted to by the gaol officials to enforce this petition-signing were characteristic. The gaoler (Du Plessis) is one of the most unfavourable specimens of his race. Unscrupulous and brutal in his methods, untrustworthy as to his undertakings, and violent and uncertain in his temper, he singled out those among the prisoners whom he considered to be the leaders of the 'stiff-necked' party as he termed it, and treated them with as much severity as he could. These men found themselves unable to obtain those facilities which were regarded as the right of all the prisoners. Upon occasion their food was stopped at the gates, and visitors—their wives and families—were refused admission, although provided with permits from the proper authorities and complying with the gaol regulations; and on more than one occasion he informed individual members of this party that the 'petitions would have to be signed,' that they would have to 'go down on their knees to the Government,' otherwise they would 'rot in gaol.' All this undisguised eagerness to obtain the signatures naturally only strengthened the resolution of the men who stood out. They had already against their wishes and judgment signed one application, and more than that they refused to do. When it was found to be impossible to induce the men to inform against each other, some modification was made in the

demands of the petition-hunters and some prisoners were asked and induced to make statements concerning their own part in the late movement, making no allusion to the part played by others, and, for reasons which it is impossible to divine unless it was designed to lead to something more, this was regarded by the Government as a desirable step.

The suspense and disappointment added to the original sentence upon a man who was never even mentioned in evidence and who took no part in the Reform movement, beyond associating himself with the organizations for the protection of property in Johannesburg, told so severely upon one of the prisoners that his mind became unhinged and in the course of the following period he developed marked signs of homicidal and suicidal mania. His condition was so serious that strong representations were made to all the officials connected with the gaol—the gaoler himself, the district surgeon, the commissioner of police, and the landdrost of Pretoria. The prisoners themselves organized a system of guards or watches over their comrade, pending the result of their representations to the officials. On the fourth day however the unfortunate man, driven out of his mind by the constant and cruel disappointment of purposely raised hopes, eluding the watchfulness of his friends took his own life.

The news of this event was received with horror throughout South Africa, the more so as for some days previously the newspapers had hinted at some such impending catastrophe In the course of the inquiry which was held evidence was given showing that the gaol surgeon had reported the state of affairs to the proper authorities some days before, but in a formal and half-hearted way. Evidence however was forthcoming that four of the prisoners (themselves medical men) had forcibly represented the extreme seriousness of the case to the gaoler, the gaol surgeon and the landdrost of Pretoria, and had induced the assistant-gaoler and warders to support their representations, but all without avail. The result of the inquiry was to lay partial blame upon the doctor and to acquit everybody else—a result which the public have been used to expect in the Transvaal. It is somewhat difficult to see how the decision was arrived at, seeing that in the offices

there was the record of a special pass granted to the unfortunate man's wife to visit him and remain with him for a considerable period on the previous day in order to cheer him up and avert serious consequences. The incident told severely upon the nerves of those who were not themselves in the best of health, and it was found necessary immediately to release or remove others among the prisoners for fear of similar results.

The Government seemed to realize that it was incumbent upon them to do something in order to allay the feeling of indignation which was being roused throughout South Africa at their manner of treating the prisoners, so a further instalment of magnanimity was decided upon. On the day of the unfortunate affair the manager of the Government newspaper, *The Press*, was authorized by President Kruger and other members of the Executive to inform the prisoners that they would have to make modified personal statements of the nature previously indicated, and if these petitions were presented to the Executive Council by 8 a.m. on the following Monday (the prisoners would then have been three weeks in gaol) orders for their release would be issued by Monday night. In order to secure a favourable reception of this suggestion it was arranged that the clergyman who was to conduct Divine service on Sunday in the gaol would deliver this message from the President to the prisoners at the conclusion of the service, and urge the men for their own sakes and for the sake of their families and of their friends to abandon the position which they had taken up and to sign declarations of the nature required, and so secure their release. Nor was this all. Outside the gaol the wives of those men who stood out against the petition movement were informed by Government officials that unless the demands of the Government were complied with by their husbands they would serve the full period of their sentence. Pressure was brought to bear upon these ladies and special facilities were given them to visit the gaol, avowedly in order to bring about the desired end.

Eleven of the prisoners—apart from the four whose punishment in substitution for death had not been decided upon, and who were therefore not concerned in the petitions—declined to

reconsider their decision, and elected rather to serve their term of two years; and they expressed the conviction at the same time that these promises of the President would not be kept any more than others had been. The result justified their judgment. After a postponement of two days on some flimsy pretext the official intimation of the commutations was given to the prisoners on Wednesday, May 20. Instead of the release positively and definitely promised the term of imprisonment was reduced in the following degree: Ten men were released, twenty-four men were condemned to three months', eighteen to five months', and four to one year's imprisonment; and the clemency of the Government towards the four leaders was indicated by a sentence of fifteen years each.

Even a short period of imprisonment under the existing conditions meant certain death to a proportion of the men sentenced, and it is not to be wondered at that the 'magnanimity' displayed by the Government after the disappointments and delays seriously affected the health of a number of the men, following as it did closely upon the tragic affair already alluded to.

With regard to Messrs. Sampson and Davies no decision was announced, it being intimated by Dr. Leyds that, as they had made no petition, their case had not been brought before the Government, and the Executive had therefore no official knowledge of their existence. But the extent of the Government's magnanimity was even then not fully known. On the following day it was announced to the prisoners that they had been misinformed with regard to the five and twelve months' commutations—that the intention and resolution of the Executive was merely to grant these men permission to appeal at the end of the periods named to the aforesaid magnanimity.

Some prominence has been given to the cases of those prisoners who were unable for physical or other special reasons to withstand the strain; and it should therefore be made equally clear that in many cases the men regarded with contemptuous amusement the cat and mouse policy and the stage-managed magnanimity displayed towards them. They were perfectly well able and willing to endure the

sentence passed upon them, and they were not misled by Boer promises in which they had never had any faith at all. There are good reasons to be assigned for the willingness of many of the men to make appeals to the Government: sheer hard necessity and the sufferings of those dependent upon them were among these reasons; and it is unfair to consider these appeals to have been due to loss of nerve.

There were among the prisoners twenty-three Englishmen, sixteen South Africans, nine Scotchmen, six Americans, two Welshmen, one Irishman, one Australian, one Hollander, one Bavarian, one German, one Canadian, one Swiss, and one Turk. This variety of nationalities should receive due consideration when questions such as for instance that of the flag are considered. In this matter of petitions it was not to be expected that men whose associations with the country had been limited to a few years should experience the same depth of feeling and bitterness of resentment as the South Africans born who look upon the country as their native land and who view with keen resentment the attitude of the Boers towards them in the Transvaal, so much at variance with their attitude towards the Boers in the neighbouring colonies. Nothing could illustrate this difference in feeling better than the fact that of the eleven men who throughout declined to sign petitions eight were South African born, one Australian, one English, and one Scotch. There is nothing discreditable to others in these figures; they simply indicate the difference of feeling which did and indeed naturally must exist. The South African born men consider themselves to have been robbed of a portion of their birthright; the others have not the same reason for thinking this.

With men of so many nationalities the position of the British Resident would in any case have been one of difficulty, especially after the part played by the High Commissioner. In the case of Sir Jacobus de Wet very little satisfaction was given. What caused the most comment and annoyance among the prisoners was that official representatives of other countries appeared to have unusual facilities offered them to visit the subjects of their Government—at least, they could command the ordinary courtesies—whereas in the case of the British Agent nothing of this sort existed. Frequently he

was observed standing outside the gaol in the worst of weather without shelter, patiently waiting until the gaoler would deem fit to see him. In the meantime that official would stroll through the yard, making remarks to his subordinates indicative of the satisfaction he experienced in keeping the representative of Her Majesty outside in the rain and mud. Upon occasions when he was afforded admission he was hustled through the yard by a warder and not allowed to hold private conversation with any of the prisoners. On several occasions he complained that he was refused admission by order of the gaoler, and the spectacle of England's representative being turned away by an ignorant and ill-conditioned official like Du Plessis was not an edifying one. It is only necessary to say that upon an occasion when Du Plessis adopted the same tactics towards the Portuguese Consul that gentleman proceeded at once to the Presidency and demanded as his right free admission to the gaol whenever he chose to go, and the right was promptly recognized although there was no subject of his Government at the time within the precincts. Indeed the Portuguese Consul stated openly that he called for the purpose of visiting as a friend one of the Reform prisoners, giving the name of one of the recalcitrants most objectionable to the Government. The American Consul too carried matters with a high hand on the occasion of his visit to Pretoria, and it seemed as though the Paramount Power was the only one which the Transvaal Government could afford or cared to treat with contempt.

The period of gaol life afforded the Reformers some opportunity of studying a department of the Transvaal Administration which they had not before realized to be so badly in need of reform. The system—if system it can be called—upon which the gaol was conducted may be gathered from the gaoler's own words. When one of the prisoners had inquired of him whether a certain treatment to which a white convict had been subjected was in accordance with the rules of the gaol and had received an answer in the affirmative, he remarked that he did not think many of the Reformers could exist under such conditions. Du Plessis replied: 'Oh no! Not one of you would be alive a month

if the rules were enforced. No white man could stand them. Indeed,' he added, 'if the rules were *properly* enforced, not even a nigger could stand them!'

Some subsequent experience of gaol-life induced the Reformers to accept this view as tolerably correct. It is known for instance that after the Malaboch war sixty-four of the tribe were incarcerated in Pretoria Gaol. Some twenty were subsequently released, but of the remainder twenty-six died within the year. Bad food vile sanitary arrangements and want of clothing and shelter contributed to this end. Malaboch was a petty chief against whom an expedition was organized, ostensibly because he had refused to pay his taxes. The expedition is chiefly notorious on account of the commandeering of British subjects which led to the visit of Sir Henry Loch already described. It resulted—as these expeditions inevitably do—in the worsting of the natives, the capture of the chief and his headmen, and the parcelling out of his tribe as indentured servants among the Boers.

Considerable sympathy was felt with Malaboch among the Uitlanders, not because of his refusal to pay taxes but because the opinion prevailed that this refusal was due only to the tyrannical and improper conduct of the Boer native commissioners; and a number of Johannesburg men resolved in the interests of the native and also of the native labour supply on the Rand to have the matter cleared up at the forthcoming trial of the chief. Funds were provided and counsel employed, nominally to defend Malaboch, but really to impeach the native commissioners, who in many cases were and continue to be a perfect curse to the country. No sooner had this intended course of action become known than the Government decided to treat their prisoners under the provisions of martial law—to treat them, in fact, as prisoners of war, who were liable to be indefinitely detained without further trial. Under these conditions they were placed in the Pretoria Gaol, and with the exception of a few subordinates there they have lived—or died—since. The offences of these natives, for all anyone knows, may have been similar to those of Langalibalele, Dinizulu, Secocoeni, Cetewayo, and other native chiefs whom the British Government have also disposed of without trial. But it is urged that these

men are entitled to a trial, because it is well known that the provocation under which they committed their offences against the law—if indeed any were committed—was such as, in the minds of most people, would justify their action.[1]

The position of a native in the Pretoria Gaol is indeed an unhappy one. Sleeping accommodation—that is to say, shed accommodation—is provided for about one-quarter of the number confined there. During fine weather it is no hardship upon the natives to sleep in the open yard provided that they have some covering. The blankets doled out to them are however in many cases such as one would not allow to remain in one's kennels; and in wet or cold weather (and the fact is that during at least one quarter of the year the nights are cold, whilst during the five months' wet season rain may fall at any time) the sufferings of these unfortunates many of whom have no blankets at all are very severe. Of course the stronger fight their way into the shed, and even fill the little covered passage-way; the others crouch or lie about in the open yard like wild beasts without a vestige of shelter.

On behalf of the native political prisoners representations were made by the gaol doctor that they were dying in numbers from scurvy and fever, for want of vegetable food. A special effort on his part secured for a few days some allowance of this nature, but the matter having been brought to the notice of General Joubert, the Superintendent-General of natives, peremptory orders were issued to discontinue this; and this although the wretched creatures might have been sufficiently supplied from the gardens attached to the gaol which are cultivated by the prisoners, and the product of which was used by the gaoler to feed his pigs. For a little while longer the doctor continued the vegetable diet at his own expense, but being unable to afford this it was discontinued and the former death-rate was resumed.

Floggings are quite common. In many instances white men have been flogged there. It is not intended to suggest that this should not have been done, but cases occurred in the Pretoria Gaol which are surely difficult to justify. Du Plessis stated to the Reform prisoners that he

[1] See Appendix E.

had with the sanction of the Landdrost inflicted upon one prisoner named Thompson, who was undoubtedly refractory and disobedient, *upwards of eighty lashes within three weeks.* He added that this was as good as a death-sentence, because neither white nor black could stand two inflictions of twenty-five lashes, as they were given in Pretoria Gaol, without permanent injury to the constitution. The effect, he observed, of this severe punishment upon the back was to cause the blood to rush and settle on the lungs, and in every case it resulted in fatal lung mischief.

During the period of imprisonment the Reformers witnessed a considerable number of floggings. These when inflicted by the assistant-gaoler or warders were usually marked by some kind of moderation and consideration for the prisoner's physical condition, and some regard for official decencies. The same cannot be said of those in which Du Plessis himself took a prominent part. Upon one occasion when a native had been released from the triangle, after twenty strokes from the cat had been borne without a murmur, Du Plessis suddenly became infuriated at the stoicism of his victim, and stepping towards him knocked the released man down with his fist and spurned him with his foot. Upon another occasion a boy of ten or twelve years of age (under what circumstances is not known) was taken by Du Plessis into the open yard, stretched in mid air by two warders gripping his wrists and ankles, and flogged with a cane by Du Plessis himself. The screams of the child were heart-rending and the sight caused one lady who happened to be visiting in the gaol to faint. When the wretched urchin was released by the two warders and stood cowering before Du Plessis the latter repeated his former performance of knocking his victim down with his closed fist.

Mr. Du Plessis it should be remembered is a sample of a certain class only of the Boers—not by any means of all. He is a man with a treacherous and vindictive temper, distinctly unpleasant in appearance, being coarsely and powerfully built, and enjoying an expression of countenance which varies between cunning and insincerity on one hand and undisguised malevolence on the other. Some idea of the general kindliness of his disposition may be gathered from

his actions. On one occasion, when special relaxation of the rules was authorized by the Landdrost of Pretoria in order to enable a number of the Johannesburg friends of the prisoners to see them, and when about one hundred permits had been issued by that official to men travelling over from Johannesburg specially for the purpose, Du Plessis devised means to defeat this act of consideration, and issued orders to his guards to admit only three visitors at a time to the gaol. As a consequence, more than half failed to gain admittance. Nor was he satisfied with this; he informed the prisoners themselves that he wished the Landdrost had issued two hundred passes instead of one hundred, so that he might let those Johannesburg people know who was 'baas' there. Possibly the fact that on the previous day he had been severely rebuffed in his petition campaign may have provoked this act of retaliation.

Another instance of Mr. Du Plessis' system was afforded by the case of an old schoolmaster, an Englishman named Grant. He had been a teacher upon the farm of a Boer near Pretoria. Through some difference with his employer he was dismissed; and his own version of the affair indicates that he suffered considerable injustice. From the evidence given in the case in which he subsequently figured it appeared that in order to urge his grievance he returned to the Boer's farm and even re-entered the house which he had formerly occupied. He was arrested and charged with trespass, or threatening to molest his late employer and members of his family, and was bound over to keep the peace for six months and to find £50 surety for the same, failing which he should go to gaol for that period. This seemed to be rather a harsh sentence to pass upon a man who was over fifty years of age, entirely destitute of means, of very inferior physique, and who had been charged at the instance of an individual who could certainly have protected himself against five such men as Grant. No doubt the accused was an eccentric man, and probably a nuisance, and it is even possible that his conduct left the magistrate no alternative but to pass the sentence which he did: it is not intended to question the justice of this part of the affair. Having been sent to gaol, however, because he could not deposit £50, Grant was

treated as the commonest malefactor in all respects but one—he was allowed to retain his own clothing. The unfortunate old man made a pathetic picture with his seedy clothes, tail coat, tall white hat, and worn gloves, which he punctiliously wore whenever called upon to face the authorities—and it happened rather frequently. He objected to being classed and herded with the thieves and murderers and others whose crimes were even more repulsive. He protested against the class of food that was served to him. For these remonstrances he at first received solitary confinement and even poorer diet; and later with a brutality which one can surely only find in a Du Plessis the unfortunate old man was placed in the Kaffir stocks, thrown out in the middle of the yard that he might be humiliated in the sight of all, and kept there in the fierce heat of a tropical sun for half a day. The sole excuse for this was that he had been unruly in protesting against the treatment which he was receiving. The spectacle excited the pity of the Reform prisoners to such an extent that even with the certainty of an insulting rebuff from the gaoler they endeavoured to represent the man's case so as to have him released, but without success. It need only be added that the unfortunate man did not serve his entire term, the first act of the first released Reformers being to pay up the surety required and provide him with funds to leave the country. Grant may have been as guilty and offensive as eccentricity can make a man, but nothing can justify the manner in which he was treated.

The stocks in the hands of Du Plessis were not the mild corrective instrument which they are sometimes considered to be. According to this authority the stocks can be made to inflict various degrees of punishment. Du Plessis states that when he took over the gaol he found that the custom was to place men in the stocks within a cell and to trust to the irksomeness of the position and the solitary confinement to bring about a better frame of mind; but he soon found that this system was capable of improvement. His first act was to place the prisoners white or black in the stocks in the middle of the yard, so that they should be exposed to the observation and remarks of all the officials and visitors and their fellow-prisoners. In explaining the reasons

for this change, he said that he found that in a cool cell a man could be tolerably comfortable and that even the most hardened of them preferred not to be seen in the stocks by others; whereas in the yard they were obliged to sit on the uneven gravel and to endure the heat of the sun as well as being 'the cynosure of every eye.' But this did not satisfy the ingenious Du Plessis. The yard of the Pretoria gaol inclines from south to north about one foot in four, and Du Plessis' observant eye detected that the prisoners invariably sat facing down the slope—for of course they were not allowed to lie down while in the stocks, this being too comfortable a position. Upon studying the question he found that in this way much more ease was experienced owing to the more obtuse angle thus formed by the body and the legs. This did not suit him and he issued further orders that in future all prisoners in the stocks should be obliged to sit facing uphill, and that they should not be allowed to hold on to the stocks in order to maintain themselves in this position but should have to preserve the upright posture of the body by means of the exertion of the muscles of the back alone. Needless to say the maintenance of such a position for hours at a time caused an agony of aches which many prisoners were quite unable to endure, and frequently the men were seen to throw themselves back and lie down at the risk of being kicked up by the vigilant Du Plessis and confined in the stocks for a longer period than was originally intended. Nor did this complete the list of Mr. Du Plessis' ingenuities. The stocks had been built to accommodate several persons at the same time, and he found that by inserting the legs in the alternate holes, instead of in the pair as designed by the architect of the stocks, the increased spread of the legs caused still greater strain upon his victim. This was reserved for special cases—say one in every four or five.

The incidents here given illustrating the methods of this delectable individual were all witnessed by the Reformers. The account of Du Plessis may serve the purpose of showing the methods practised under a Government whose officials are appointed whenever possible from the family circle and not because of fitness. It is more especially designed to show

the character of the man in whose hands the prisoners were placed with almost absolute discretion; the man who enjoys the privilege of discussing with his relative President Kruger, at any hour at which he may choose to visit the Presidency, the treatment to be accorded to his victims; the man who is retained in his position in spite of repeated exposures by his superiors, and who is credited with exercising very considerable influence with Mr. Kruger; but, above all, the man in whose charge remain up to the present time[1] the two Reformers, Messrs. Sampson and Davies, who declined to sign any petition, and concerning whom Du Plessis stated openly: 'Wait until the others have gone, and if the Government leave them in my hands, I'll make them ready to sign anything.' Sufficient has been said concerning this individual to warrant the description publicly given of him by Colonel Rhodes[2]— 'A brutal and inhuman wretch!' Like most bullies the man is also a coward. When he witnessed the outburst of feeling among the prisoners in consequence of the death of their comrade, he would not venture into the precincts of the gaol for two days, until assured that the men had again become capable of self-control.

So much for the details of gaol life.

In the meantime sympathy with the prisoners began to take practical form, and the unanimity of feeling on their behalf throughout South Africa, which was quite unex-

[1] (July, 1899.) They were released in June, 1897.

[2] Du Plessis' threats regarding Messrs. Sampson and Davies were made so openly and vengefully that Colonel F. W. Rhodes deemed it to be his duty as soon as he was released to report the matter to the High Commissioner, with a view to ensuring some measure of protection for the two gentlemen above referred to. After the release of the other prisoners, Du Plessis was for a time suspended, owing to charges laid against him by the Inspector of Prisons. No investigation appears however to have been made, and the man was reinstated. During the month of September, after Messrs. Sampson and Davies had already done five months of their sentence in Pretoria Gaol, this man, finding himself unable to break their spirit by other means, made a proposal to the Government to separate the two and to place them in two small country gaols at wide distances apart and far removed from the friendly offices and watchful eyes of their friends, and thus deprive them of such benefit as they may be able *in the future* to get from proximity to the official representative of England. In the past they have certainly derived none.

pected and which greatly embarrassed the Boer Government, tended to bring matters to a head. Mr. Rose Innes, who had so generously and constantly exerted himself in Pretoria in order to obtain some amelioration of the condition of the prisoners, and who had in his official capacity as watching the case for the Imperial Government made a very strong report to the Colonial Office, did not content himself with these exertions. Upon his return to Capetown he suggested and organized the getting up of a monster petition to the President and Executive, urging upon them in the interests of the peace of South Africa to release the imprisoned men. The petitions were to represent the views of every town and village in South Africa, and were to be presented by the mayors or municipal heads of the communities. In this movement Mr. Rose Innes was most ably seconded by Mr. Edmund Garrett, the editor of the *Cape Times*, and other prominent men. A movement of this nature naturally excited considerable attention in Pretoria; but the success of it was wholly unexpected. The President and his party had played to the South African gallery, and they had not yet realized that they had in any way overdone the theatrical part. They had no suspicion of the real feeling with which the sentences were regarded, nor of the extent to which they had alienated sympathy by that and the subsequent 'magnanimous' action. 'Magnanimity by inches' had been placarded throughout South Africa, and the whole game was characterized as one of cat and mouse, in which the President was playing with his victims with indifference to the demands of justice and humanity, partly with a view to wringing concessions from the British Government, and partly from a mistaken idea that by such a course he would obtain credit at each step afresh for dealing generously with those who were at his mercy.

The movement had been well organized. The resolution had been passed in every town in South Africa, even including the towns of the Free State. The mayors (over 200 in number) were on their way to Pretoria, when the President, with his back against the wall, realized for the first time that he had overshot the mark and that unless he released the men before the arrival of the deputies he would

either have to do so apparently at their instance, or refuse to do so and risk rousing a dangerous feeling. He chose the former course; he released all the imprisoned men with the exception of the four who had been sentenced to death and the two who had refused to appeal. Pretoria and Johannesburg were already full of deputies and visitors from Cape Colony, Natal, and the Free State, all bound on the same errand of mercy. The feelings of these men, brought many hundreds of miles from their homes, sacrificing their own business and personal convenience in order to approach the President and to support a measure which they felt to be imperatively necessary to the allaying of feeling in South Africa may be imagined, but were not expressed, when they heard that they had been allowed to undertake this journey as part of the President's game, only to receive a slap in the face from His Honour by the carrying out of the measure before they were permitted to interview him. This at least was what was felt to be the case upon the release of the majority. Absolute proof of it was forthcoming within the week, when the President refused to receive the deputations and kept them waiting in Pretoria until he had released the four leaders as well, without allowing the delegates the satisfaction of a courteous recognition of their mission. He admitted them it is true to an informal interview, in the course of which he managed to insult and outrage the feelings of a good many by lecturing them and giving vent to very candid opinions as to their personal action and duties; but he would not receive their representatives officially.

On May 30 the prisoners with the exception of the six already referred to were released, the terms being that their fines should be paid at once, and the unexpired term of imprisonment remitted. Each one as released was required to bind himself for the term of three years, reckoned from the 30th day of May, 1896, neither directly nor indirectly to meddle in the internal or external politics of the South African Republic, and to conduct himself as a law-abiding citizen of the State.

In some cases the provision was added that if in the opinion of the Executive Council the terms of this under-

taking should be broken, the sentence of banishment which was held in suspense would come into force, and the men were required to sign this addendum to the above undertaking. The resolution of the Executive Council, which deals with the mitigation of the sentences, states that the imprisonment portions of the sentences are remitted; that the fines (£2,000 in all cases) must be paid at once; and that the banishment shall remain in abeyance subject to the faithful observance of the above undertaking; but that should any action be taken by any of the prisoners constituting in the opinion of the Executive Council a breach of the above undertaking, the sentence of banishment shall come into force.

There is no definition of the phrase 'meddle in politics,' nor is there any indication of what in the opinion of the Executive Council constitutes politics. There is of course on record the President's own statement in public that he would not permit any discussion on the dynamite and railway questions because they are matters of 'high politics'; and if haply the Executive should also hold this view, it is difficult to see how any of the prisoners will be able to follow their ordinary business and attend to those commercial affairs in which they are concerned without committing some breach of this ridiculous provision.

No answer was received to the many representations made on behalf of the four leaders, except that the Government were busy with the matter. Upon the release of the other prisoners it was suggested to them by friends outside that it would be a proper and politic course to proceed in a body to the Presidency and thank the President for the action he had taken in their respect, and at the same time to beg of him to extend a similar clemency to the four leaders who were still left in gaol. Most of the men were dead against taking any such action. They held very strongly to the opinion that they had been arrested by treachery, condemned by arrangement, and played with as counters in an unscrupulous manner. They recognized no obligation towards the President. They could see no magnanimity in a policy which had secured their arrest under the circumstances described, which inveigled them into pleading guilty to a nominal

offence, and which imposed upon them a sentence such as that passed. They considered the enormous fine which they were then called upon to pay to say nothing of the imprisonment which they had already suffered wholly disproportionate to the offence, and their natural impulse was to avoid the man who was directly responsible for it all, or at least not to meet him under circumstances so unequal, when they would be sure to be insulted, and would be obliged to suffer the insult in silence.

Some of them however yielded to the representations of their friends, who considered that it should be done for the sake of the men who were not yet released; whilst there were others who expressed the view that they would rather go back and do their imprisonment than suffer the humiliation which it was proposed to inflict; that they would not do it for themselves, and they could not bring themselves to do it for anybody else. A considerable number of the prisoners called upon His Honour; and this was the 'dog' interview. After hearing the address of the men the President proceeded to pat himself and his people on the back, saying that he knew he had behaved with great magnanimity and moderation, and that he hoped that such generosity would not be entirely thrown away.

'You must know,' he said, 'that I sometimes have to punish my dogs; and I find that there are dogs of two kinds. Some of them who are good come back and lick my boots. Others get away at a distance and snarl at me. I see that some are still snarling. I am glad that you are not like them.'

Those among his hearers who could understand His Honour's remarks, although they had been prepared for much, were certainly not prepared for this. The interpreter stood for a moment without rendering into English the metaphor chosen by the worthy President, and even His Honour —slow to perceive where he has transgressed the limits of etiquette and good breeding—gathered from the expressions upon the faces that something was wrong, and turning to the interpreter, said:

'Oh, that's only my joke! Don't interpret that to them.'

But those who witnessed it say that there was no joke in his voice or his eye as he said it. Proceeding then with more circumspection he walked out his dog in another form, and said that it was very well to punish the little dogs as he had punished them, but somebody should also punish the big dog—evidently referring to Mr. Rhodes—and in the course of a homily he again mixed his parable, sticking all the time to his dog however, remarking in conclusion that it was very well to punish the dogs, but what was to happen to the owner of the dogs, who stood by urging them on and crying 'Tsaa!'?

Throughout the week His Honour continued to make the homely dog work to good purpose, but the interview with the released Reformers was, it is believed, the first occasion upon which he made use of it. Certainly on no other occasion did the President do such ample justice to his reputation as a finished diplomat.

In the mean time negotiations had been proceeding for obtaining the release of the leaders. The friends and representatives of the four prisoners had become subject to all manner of attentions from numbers of people in Pretoria; near relations of the President himself, high-placed Government officials, their relatives, hangers-on, prominent Boers, and persons of all sorts and descriptions, all offered their services and indicated means by which the thing could be arranged. All wanted money—personal bribes. The prisoners themselves were similarly approached, and they who a month previously had been condemned to death witnessed with disgust a keen competition among their enemies for the privilege of effecting—at a price—their release. Day after day they were subjected to the disgusting importunities of these men—men who a little while before had been vaunting their patriotism and loudly expressing a desire to prove it by hanging these same Reformers.

The gaoler Du Plessis, representing himself as having been sent by the President, suggested to the four men that they should 'make a petition.' They declined to do so. Du Plessis was then reinforced by the Chief Commissioner of Police, and the two officials again urged this course but stated that they did not wish it to be known that they had been sent

by the Executive and therefore could not consent to their names being used. Upon these terms the prisoners again declined. They said that if they were to hold any communication with the Government they required to have it on record that they did so at the suggestion of the two responsible gaol officials who represented themselves as expressing the wish of the Executive Council. After further delay and consultations with the President and others the two officials above named consented to allow their names to be used in the manner indicated. Not content with this the prisoners demanded that they should be allowed to send an independent messenger to the President to ascertain whether he really required a written appeal for revision of sentence. Having received confirmation in this manner the four men addressed a letter to the Executive Council. In this letter they stated that they had been sentenced to death; that the death-sentence had been commuted; and that they understood—but had received no authoritative information on the subject—that they were to suffer instead a term of fifteen years' imprisonment. They suggested the imposition of a monetary penalty in place of the imprisonment; they stated that they held and represented important interests in the State and that they believed their release would tend to the restoration of confidence and favourable conditions in the business community of the Rand; and they concluded by saying that, if the Executive saw fit to adopt this suggestion, they the prisoners would return to their business in good faith.

It had frequently been intimated to these men that it would be impossible for the Government to impose a fine in place of the death-sentence because money so obtained would be blood-money. Reference had been made in the Executive Council to Biblical precedents, notably the case of Judas, and the opinion was held that if blood-money were taken the Lord would visit His wrath upon the people.

The Boers are in their way a very religious people. But they are also essentially practical; and it is difficult to find an instance in which the religious principle has operated to their commercial disadvantage. This at any rate was not one. The train of reasoning which led them to justify the imposition of a fine was somewhat in this wise: To *impose a fine* would be

to take blood-money, and would be immoral and iniquitous: to *accept the offer of a present* on condition that the sentence should be entirely remitted however would be quite another thing.

So negotiations were set on foot to induce the prisoners to make the necessary offer; and the prisoners, as has been shown, did so. This satisfied the religious scruple of the Boer, but the terms of the offer were not satisfactory to his commercial requirements. It became necessary to make a definite offer. Further negotiations followed, and the prisoners gathered that an offer of £10,000 apiece would be viewed with favour by the President and his advisers; and it was stated by members of the Volksraad and prominent officials who were in the confidence of and in communication with the Government that, in the event of such a contingency arising as the prisoners making an offer of cash, the Executive would not take the money for the benefit of the State but would accept it for charitable purposes—an educational institute or a hospital or some such object.

This was communicated to the prisoners by the personages referred to, and an offer was accordingly made of £10,000 apiece. The matter was discussed in the Executive Council, and the Boer, true to his instinct and record, perceived an opportunity to improve his position. The religious gentlemen who would not take blood-money now objected that the amount proposed was altogether too small, and the President with that readiness so characteristic of him observed that he thought the prisoners must have made a mistake, and meant £40,000 apiece instead of £40,000 for the lot.

Another delay ensued, and in the meanwhile more and more deputies flocked to Pretoria, and stronger grew the feeling, and more angry, disappointed, and disgusted grew the communities of Johannesburg and Pretoria. The President, however, played his game unmoved by any such considerations.

The next announcement from the Executive was a wholly unexpected one. It was that they felt it necessary to consult Judge Gregorowski as to the amount of money which ought to be taken as a donation to charities. The matter of assessing the value of a death-sentence in cash might perhaps be deemed

a perplexing and a difficult one from lack of precedent, yet nobody supposed the Executive Council to be unequal to the task. It might also seem unfair to impose this further burden of responsibility upon a judge; but Mr. Gregorowski had proved himself superior to precedent and untrammelled by custom; and there was much to be said in favour of continuing an association which had worked very satisfactorily so far.

When however the President, with that resolute determination to be generous which was so well advertised, at last overcame all obstacles and succeeded in holding a meeting of his advisers to receive Mr. Gregorowski's report, and when it was found that that gentleman assessed capital punishment at £25,000 per head, the Executive Council with one accord avowed themselves to be so utterly taken by surprise by the announcement that they required time to think the matter over and decide upon a course of action.

No doubt this opinion of Mr. Gregorowski's took them quite as much by surprise as did his original sentences. However in the course of a day or two they had recovered sufficiently to intimate to the prisoners that, if they would amend their first offer of £40,000 for the four and make it one of £40,000 apiece, the Executive would decline to accept so large a sum, as being greater than they considered equitable and would reply that in the opinion of the Government £25,000 apiece would be sufficient. It was quite plainly intimated that this procedure presented certain attractions to the President, who desired for political purposes to exhibit further magnanimity. The prisoners who by this time had gained some insight into Mr. Kruger's methods, who knew from past experience the value of his promises, and who could find no record in history to encourage them in participating to this extent in the confidence trick, point-blank refused to have anything to do with it.

They agreed to make a formal offer of a 'reasonable' fine, leaving the interpretation of this to the Government, but only on the distinct understanding that the amount should not exceed £25,000 each. They had learned that Mr. Gregorowski had fixed this amount and that the Executive had agreed to accept it, and they would not offer a penny more

for magnanimity or anything else. They stated in plain terms that they looked upon this matter simply as a bargain; that if they should get out they were paying their way out, and that in so far as their release from the position was concerned the transaction was closed upon business terms and there should be no question afterwards as to gratitude or magnanimity. The fines were paid,[1] and on June 11 the leaders were released.

Messrs. Phillips, Farrar, and Hammond, who were compelled through their business ties to continue their association with the Transvaal, signed the same undertaking concerning politics as that given by the rest of the prisoners—with the difference that in their case it operates for a period of fifteen years. Colonel Rhodes however declined to give the required undertaking and elected to take his sentence of fifteen years' banishment. On the night of June 11 therefore he was sent across the border under escort, and passing through the Free State proceeded at once to Matabeleland to render what assistance he could to his brother in the suppression of the rebellion. As though the excitement of the past few months had not been sufficient, it may be added that in the first engagement in which he took part on his arrival at Buluwayo his horse was shot, and he narrowly escaped the same fate himself.

From time to time adverse comment has been made on the subject of this undertaking of the Reformers to abstain from further participation in politics. The position of the Reformers was this: They had entered upon the movement to obtain the redress of certain matters closely affecting their feelings as men and their interests and business as settlers in the country. They were disarmed and placed at the mercy of the Boer Government by the action of England's Representative. To decline to give the pledge required would entail banishment, which would in many cases mean ruin to them and in all cases would remove them from the sphere in which they might yet contribute to the attainment of the ends they had in view. The only compensating consideration possible in such a course would be that the redress desired would be effected

[1] It seems like reflecting on the reader's intelligence to add that nothing more has been heard of the 'charities.'

through the influence of the Imperial Government; but since the Imperial Government had shown that under the circumstances they were neither willing nor able to maintain to a logical conclusion the position which they took up when they secured disarmament, the Reformers concluded that their obvious course was to give the required undertaking. It is true that several among them did decline to give this undertaking, saying that they would prefer to serve their terms of imprisonment; but they received the answer that after the term of two years' imprisonment the Government would still require the undertaking or enforce the banishment clause, so that it appeared to them there was no way out of it but to sign what was required and wait patiently.

It is perfectly obvious that one of two alternatives will present itself. Either the Government will come to regard this provision as a dead letter, and wholly ignore it; or some of the men, in the course of their business and in dealing with economic questions such as they are morally entitled to discuss will fall foul of the 'opinion of the Executive.' The issue will then be a very clear one, and many of those who were strongly opposed to the Reformers on the premisses on which they started will find themselves in cordial agreement with them in later developments.[1]

The Reform movement closed for the time being with the release of the leaders. Sixty-four men had been committed for trial. From four of them the Government had received £100,000, and from fifty-six others £112,000. One was dead; one had fallen so seriously ill before the trial that he was unable to present himself with the rest, but on recovering and announcing his intention to plead 'Not guilty' and fight it out, the case against him was withdrawn.

[1] (July, 1899.) A clear indication of the Government's disposition towards the Reformers was given by the treatment accorded to Mr. Lionel Phillips. In consequence of a publication by Sir John Willoughby of an article on the subject of the Raid, which failed to accurately represent the facts as they were present to the minds of the Reformers, Mr. Phillips wrote an article in the *Nineteenth Century* magazine, which was purely historical, moderate in tone, and obviously designed only as an answer to the allegations which had been made. The Executive Council arrived at the conclusion that it was a breach of his undertaking to abstain from interference in politics, and they issued a decree of banishment against him. As Mr. Phillips had taken up his residence permanently in Europe, and as it was well known that

There remained two men, Messrs. Sampson and Davies, whose case the Government had refused to consider because they declined to appeal. They had been sentenced on April 28 to two years' imprisonment and £2,000 fine, or failing payment to another year's imprisonment, and to three years' banishment; and under that sentence do they lie at the present moment in the Pretoria gaol, at the mercy of the Boer Government and its very competent representative Mr. Du Plessis.[1]

Much *kudos* has accrued to Mr. Kruger for his magnanimity and much profit for his astuteness! Great credit is also given to Mr. Chamberlain for his prompt impartiality. And surely some day a tribute of sympathy and admiration will go out from a people who like pluck and who love fair play to two Englishmen who hold that a solemn pledge is something which even a Boer should hold to, whilst self-respect is more than liberty and beyond all price.

it would be extremely inconvenient for him to return to South Africa in order to dispute this action it was generally considered that the object of the move was to establish a precedent, so to say, on the cheap, and in the same spirit to intimidate others among the Reformers who were believed not to have lost their interest in the cause of reform nor to have abandoned their intention to begin again as soon as they were free to do so. It is no exaggeration to say that scarcely a week could have passed during the last two and a half years in which some or all of the half dozen Uitlanders most prominent in the cause of reform have not been in receipt of a warning of one kind or another, ranging from apparently friendly advice not to take too keen an interest in certain matters, up to the giddy eminence of being black listed in the Dutch papers as one of those to be dragged out and shot without trial as a traitor and a rebel. Such are the conditions under which the unarmed Uitlanders labour for reform.

[1] (July, 1899.) Du Plessis was promoted to be Chief Inspector of Prisons shortly after the release of Messrs. Sampson and Davies, and still holds that post!

PART II.

A POSTSCRIPT.

CHAPTER X.

THREE YEARS' GRACE.

VERY seldom has any community been in a position so unsatisfactory as that in which the people of Johannesburg found themselves in the year 1896. Judgments passed in the heat of the moment upon matters which had not been properly explained, and which in many cases were completely obscured by deliberate misrepresentation, had incurred for the community dislike contempt and mistrust which were wholly undeserved. Those who knew the facts and who were able and willing to speak, the Reformers themselves, were bonded to abstain from politics for three years under penalty of banishment. Betrayed, deserted, muzzled, helpless, hopeless, and divided, no community could have been in a more unsatisfactory condition. It was abundantly clear that the time had been allowed to pass when the Imperial Government might have insisted upon reforms and the fulfilment of the President's promises—not in the spirit in which they had been made, but in the spirit in which the President himself had intended the world to construe them. The impact of the revelations was too great to permit of public judgment quickly recovering its balance. It was realized that Mr. Kruger's effects had been admirably stage-managed and that for the time being, and possibly for a very considerable time, the Uitlanders were completely out of court. There were a few—but how few!—whose faith was great and whose conviction that the truth must prevail was abiding, who realized that there was nothing for it but to begin all over again—to begin and to persevere upon sound lines; and they took heart of such signs as there were and started afresh.

It has been an article of faith with them that Mr. Kruger

missed his supreme chance at the time of the trial of the Reformers, and that from the date of the death-sentence his judgment and his luck have failed him. He abused his good fortune and the luck turned, so they say; and the events of the last three years go to support that impression. To his most faithful ally amongst the Uitlanders the President, in the latter days of 1896, commented adversely upon the ingratitude of those Reformers who had not called to thank him for his magnanimity; and this man replied: 'You must stop talking about that, President, because people are laughing at you. You made a bargain with them and they paid the price you asked, so now they owe you nothing.' But his Honour angrily repudiated that construction: nothing will convert him to that view.

It has been said that Dr. Jameson is the best friend Paul Kruger ever had, and with equal truth it may be said that, in 1896, President Kruger proved himself to be the best friend of the Reformers. Not even the most sanguine of his enemies could have expected to witness the impolitic and unjust acts by which the President revealed himself, vindicated the Reformers, and undermined a position of unparalleled strength in an incredibly short time. The bargaining and the bad grace which marked the release of the Reformers had prepared the world to view Mr. Kruger's action and attitude a little more critically than it had hitherto been disposed to do. The real conditions of Dr. Jameson's surrender had also become known, and although the action of the Boer leaders was regarded as far too trifling a matter to be seriously considered as against the Raid itself, nevertheless a residuum of impression was left which helped to form opinion at a later stage. There followed, too, an irritating correspondence between the Transvaal and Imperial Governments, in the course of which Dr. Leyds successfully established his skill as a smart letter writer and his limitations as a statesman. The Municipal Law, the first product of the 'forget and forgive' proclamation—which proclamation, by-the-bye, had already begun to prove itself an awkward weapon placed in the hands of his enemies by President Kruger himself—had been exposed and denounced as farcical, and it now required but little to convince the once admiring world of the Pre-

sident's real character and intentions. That little was forthcoming in a touch of ridicule more potent than all arguments.

The Transvaal Government formulated their demand for damages for the Raid in a form which made everyone smile —£677,938 3s. 3d. for actual outlay, and £1,000,000 for 'Moral and Intellectual Damages.' What with the fines of the Reformers, and the seizure of the provisions of all sorts acquired by them for the purposes of the Reform movement, which latter must have exceeded £50,000 in value, the Boer Government had already received upwards of a quarter of a million, and had, in fact, made a profit on the Raid; so that this demand came as a surprise even to the Uitlanders, as much perhaps due to the extraordinary phrasing of the demand as to the amount claimed.

It may be wondered why, under provocation so great as that of complete abandonment by the country whose representative had placed them in their then hopeless position, no distinct movement took place—no tendency even developed itself—among the Uitlanders generally to unite with the Boers in favour of a Republican movement throughout South Africa, to the exclusion of the Imperial power. In answer to this it must be said that such an idea undoubtedly did take strong hold of the non-British portion of the Uitlander population, as witness the manner in which the Cape Colony Dutchmen, Hollanders, Germans, and individuals of other European nationalities associated themselves with the Boer party, almost invariably by open declaration, and in many cases even by naturalization, thus forfeiting their own national rights and obtaining nothing but vague promises and the liability to military service in return. But the Republican movement made no further headway than this because British subjects formed the large majority of the Uitlanders. They had, it is true, a great grievance against the Imperial Government; but against the Transvaal Government they had one greater still; and it would take a great deal to kill the passionate loyalty of the British South African. It would be idle to discuss what might have happened had Mr. Kruger seized his opportunity and let in a considerable section of the then unenfranchised to strengthen the ranks of the Republican party; that can only be a matter

of individual conjecture. What is certain, however, is that he did not do so and never intended to do so; wherein his lack of statesmanship is again made manifest.

Mr. Kruger has carried out in its fullest (its best or its worst) the characteristic principle of his people already referred to, that of giving too little and asking too much. It is doing only bare justice to the determination with which he adheres to the policy of his life to say that he gives nothing to anybody. From the most distant to the nearest he deals alike with all. With the people of Europe, he has taxed their investments, disregarded their interests, and flouted their advice; but nevertheless he has for years commanded their moral support. In his dealings with the British Government, pushed as they have been some half a dozen times to the very verge of war, he has invariably come off with something for nothing. In his dealings with the Uitlanders he has bartered promises and in return—*circumspice!* In the matter of the events of 1895–6 he came out with a quarter of a million in cash, a claim for £1,677,938 3s. 3d. (including Moral and Intellectual Damages), and a balance of injured innocence which may not be expressed in figures. In his dealings with Cape Colony he has taxed the products of their land and industry, he went to the verge of war to destroy their trade in the case of the closing of the Vaal River drifts, he has permitted the Netherlands Railway to so arrange its tariffs as to divert traffic from them to other parts, he has refused to their people (his own flesh and blood, among whom he was born) the most elementary rights when they settle in his country! And yet in his need he calls upon them, and they come! His treatment of the Orange Free State has been exactly the same. Their grievance against him is incomparably worse, because of their liability to become involved in the consequences of a policy which they are not allowed to influence. But President Kruger is, above all things, practical. Everything is gauged by the measure of the advantage which it can bring to him; and his treatment of the Free State is determined by their utility to him and his power over them, and is not influenced by their moral claims upon his good will. Natal and Portugal have their experience of broken agreements and strained interpretations, of intrigues with native

subjects and neighbours for the extension of rights or boundaries, all designed to benefit the Transvaal and to undermine them. All, all with the same result! Something for nothing! Within the borders of the Transvaal the policy is the same. Moral rights and the claims of justice are unrecognized. For services rendered there may be some return; a privilege, a contract, an appointment. But this cannot be properly regarded as a neglect of principle upon Mr. Kruger's part, for after all the reward is at the expense of the Uitlanders. It is usually the least price at which the service could be secured; and it is generally in such form as to give the recipient a profit in which the members of the Government party largely share, but it never confers a power to which the President himself is not superior; indeed, it is almost invariably hedged about by such conditions as to make its continuance dependent upon the President's good will. If any one should think this description of conditions in the Transvaal and of the President's policy to be unduly harsh, let him satisfy himself by an investigation of those matters which appear on merely superficial examination to support opinions contrary to those expressed by the writer. Let him examine the terms of the closer union with the Free State, the circumstances leading to the closing of the Vaal River drifts, the condition of the Dutch subjects of Cape Colony and of the Orange Free State in the Transvaal, the Netherlands Railway tariffs as they operate against Cape Colony and the Free State, the Railway Agreement with Natal, the disputes with Portugal, the attempts to acquire native territory on the East Coast, the terms of the Netherlands Railway Concession, Selati Railway Concession, Dynamite Concession—in fact, all other concessions, monopolies, contracts, privileges, appointments, and rights, made, granted, or entered into by President Kruger to or with his friends. Let him recall the treatment and the fate of some of those to whom ampler reference will be made later on; for instance, Chief Justice Kotzé and Judge Ameshof, who in the dealings with the Reformers rendered valuable—but perhaps injudicious and unjudicial—service, as already sufficiently described; the treatment of Dr. Coster, the State Attorney, who also deserved better of the President; the public

repudiation of Mr. J. B. Robinson, whose friendship for President Kruger had been frequently and amply evidenced to the grave dissatisfaction of the Uitlander population; the public and insulting repudiation of Sir Henry de Villiers, the Chief Justice of Cape Colony, after he had served his purpose! The result of any such inquiry must confirm the conclusion that 'something for nothing' is the President's policy and achievement.

A policy or a movement which is to involve the co-operation of thousands of intelligent men cannot be carried out upon such terms, and this may be regarded as the main reason why the spirit of Republicanism did not generally develop itself under circumstances apparently so favourable to it. The President's policy may be considered astute or unwise according to the point of view from which it is regarded. Viewed from the standpoint of the State itself, undoubtedly it fails lamentably in statesmanship. In the interests of the Boer party, however, or of the man Paul Kruger, it may well be doubted whether the policy may not be a token of remarkable sagacity. He knows his own limitations and the limitations of his people He knows that to freely admit to a share in the Government a number of intelligent people, would make a continuance of himself or his party in absolute power for any length of time a matter of utter impossibility. In these circumstances the problem which President Kruger had set himself was a remarkably difficult one. To republicanize South Africa, to secure the support of the majority of the white inhabitants, and yet to yield no whit of power to those by whose aid he would achieve his object, would indeed be carrying to sublime heights the policy of 'something for nothing.'

Many years before the Raid Mr. Kruger had a well-defined policy to republicanize South Africa, and the Uitlanders of the Transvaal were quite alive to it, as may be gathered by reference to their newspapers. But the voice was as a voice crying in the wilderness in those days, and, as has been said, it required the Jameson Raid to advertize the conditions in the Transvaal and to direct attention to what had been proclaimed unheeded for many years. Immediately prior to the Raid Mr. Kruger was floundering in a morass of difficulties. The policy of 'some-

thing for nothing' had been exposed, and it was seen through by all the Dutchmen in South Africa and was resented by all save his own little party in the Transvaal; but the Jameson Raid gave the President a jumping-off place on solid ground, and he was not slow to take advantage of it.

It is not too much to say that the vast majority of people in Europe and America are indebted to Dr. Jameson for any knowledge which they may have acquired of the Transvaal and its Uitlander problem. Theirs is a disordered knowledge, and perhaps it is not unnatural that they should in a manner share the illusion of the worthy sailor who, after attending divine service, assaulted the first Israelite he met because he had only just heard of the Crucifixion. A number of worthy people are still disposed to excuse many things in the Transvaal because of the extreme provocation given by the Jameson Raid. The restrictions upon English education are considered to be 'not unnatural when one remembers the violent attempt to swamp the Dutch.' The excessive armaments are held to be 'entirely justifiable considering what has happened.' The building of forts is 'an ordinary precaution.' The prohibiting of public meetings is 'quite wrong, of course, but can you wonder at it?' Many of these worthy people will, no doubt, learn with pained surprise that all these things were among the causes which led to the Reform movement of 1895–6, and are not the consequences of that movement as they erroneously suppose. The Press Law and Public Meetings Act had been passed; arms had been imported and ordered in tens of thousands; machine guns and quantities of ammunition also; forts were being built;[1] the suppression of all private schools had been advocated by Dr. Mansvelt—all long, long

[1] That President Kruger always contemplated controlling the Uitlander population by arbitrary methods was proved by the choice of the site for the Johannesburg fort. This site, on a hill commanding the town, had been reserved by Government from the commencement, and when the accommodation in the old gaol proved insufficient and a new gaol was required it was located on this spot, then a favourite residential quarter of the town. A deputation of officials waited upon the President to urge the placing of the new gaol in a more convenient locality elsewhere. His Honour replied, 'that he did not care about the convenience. He was going to build the gaol there, because some day the town would be troublesome and he would want to convert the gaol into a fort and put guns there before that time came.' That was at least four years before the Raid.

before the Jameson Raid. So also had the republican propaganda been at work, but it had not caught on outside the two Republics.

Difficult as his task might appear, Mr. Kruger had now command of the two great persuasive forces—money and sentiment. With the money he pushed on the forts, and imported immense quantities of big guns, small arms, and ammunition—far in excess of what could possibly be used by the whole of the Boer population of the Transvaal after making every allowance for spare arms in reserve; and such an extraordinary supply was not unnaturally believed to be designed for the use of others outside the Transvaal. More than this, an army of emissaries, agents, and spies in the pay of the Transvaal Government were spread about the Free State, Cape Colony, and Natal. Newspapers were supported in different parts of South Africa and a considerable amount of money was spent upon the Press in France and Germany.

It would be absurd to suggest and it would be unjust to let it be inferred that all those who were drawn into sympathy with the Boers supported or were even cognizant of President Kruger's ultimate aim. It is an everyday experience that the scope of work and ambition expands as one progresses. Whether the strong man really sees his ultimate goal and tackles with magnificent courage the innumerable and seemingly insurmountable obstacles which lie between him and it, or whether in the wisdom and mercy of Providence there is such an adjustment of courage and foresight as prevents him from seeing more than he is able to face, who can say? But what is beyond all doubt is that, given the one strong man who does know his mind, he will lead as the Pied Piper led, and there is no thought in his following to ask the whither and the why.

Given the sympathy and the means, the difficulty of President Kruger's self-imposed task was not so great as at first appeared. To some it was advisable to do no more than point to the Jameson Raid and say: 'We only wish to live in peace and to be left alone.' To some again that act is construed as a sign that the British people wish to upset the two Republics, therefore they must strengthen and be prepared. To others the appeal is made: 'We Dutch are the settlers and owners of the country, we wish for peace, of course, but we must dominate

—you under your form of government, we under ours.' To others again it is further advanced: 'Let us negotiate the elimination of the Imperial power; we do not suggest fight, but if we present a united front they must retire peacefully and concede our demands.' And lastly comes the appeal to those who are in sympathy with the advanced republicans: 'Arm and prepare. Some day we shall find England in a difficulty, divided by party or hampered by external complications; it has often happened before and we have always profited. That will be our time to drive them out.'

It would be very unjust to some of the most prominent men on the Dutch side in Cape Colony to leave the slenderest grounds for the inference that they are to be associated with the extreme and actively disloyal aim. All that it is intended to do is to indicate the fine gradations in arguments by which a number are drawn together—under a leadership which they do not realize, and going they know not where! The strongest of these arguments and appeals are particularly popular with the younger generation of Dutch South Africans who entertain a visionary scheme of independence suggested by the history of the United States. But there is something more serious in it than this, as may be deduced from the fact that in December, 1896, the writer was approached by Mr. D. P. Graaff, formerly a prominent member of the Cape Legislative Council and now as always a prominent Afrikander Bondsman, with the suggestion that all the South African born should combine in the effort to create the United States of South Africa, 'upon friendly terms with England, but confining the direct Imperial right in South Africa to a naval base at Simonstown and possibly a position in Natal.' This concession—from South Africa to England —would not, it was argued, involve disadvantage to the former, because for a considerable time it would be necessary to preserve friendly relations with England and to have the protection of her fleet for the coast.

It is of course quite easy to attach too much importance to the opinions of individual politicians of this class, who are as a rule merely shouters with the biggest crowd; but the prominent association of such an apostle of republicanism with the Bond, and the fact that he should have gone so far with a

Reformer of known strong British sympathies seem to warrant the attaching of some importance to the suggestion.[1] A similar suggestion was made to several of the Reformers at the time of the judicial crisis by one of the judges of the Transvaal High Court, when it was hoped to enlist the sympathies of the Uitlanders with a movement to curtail President Kruger's power and to establish republicanism on a firmer basis in South Africa. In order to forestall an obvious comment, it may be said that discussion was in both cases declined on the ground that it would be participating in politics in the sense forbidden by President Kruger's three years' ban.

The year 1896 was a very bad one for the whole of South Africa. Besides the Raid and the suspense and disorganization entailed by the prolonged trial, the terrible dynamite explosion in Johannesburg,[2] the still more terrible rebellion and massacre in Rhodesia, and the crushing visitation of the great cattle scourge, the Rinderpest, helped to produce a deplorable state of affairs in the Transvaal.

Then there was another thing which rankled badly: Messrs. Sampson and Davies were still in gaol.[3] The feeling through-

[1] The writer has since learned from Mr. Alfred Beit that the same proposal was made to him by Mr. Graaff in January, 1896, immediately after the Raid, and that it was baited with the promise that if he and Mr. Rhodes would agree to support it the threatened 'consequences' of their association with the Raid would be averted. But they preferred the 'consequences.'

[2] About the middle of 1895 a bad explosion of dynamite occurred in Germany under circumstances very similar to those of the Johannesburg accident. An inquiry held by the German authorities resulted in the finding that the explosion must have been due to some fault in the dynamite, and an order was issued to destroy the remainder. The officials charged with this duty found, however, that the owners, anticipating some such result, had removed it. It was eventually traced as having been shipped from Antwerp to Port Elizabeth and thence consigned to the Transvaal in November, 1895. The Johannesburg explosion occurred in February, 1896. No competent or independent inquiry was held, although about 100 people were killed and many more injured.

[3] The gaoler—Du Plessis—in the fulfilment of his promise lost no opportunity to harass them into submission, by depriving them of one thing after another, knowing that they would ask for nothing except as a right. As an instance, the spirit-lamp with which they made their tea was taken from them on the pretext that no combustibles were allowed under the prison regulations, and upon a remonstrance being made by Mr. Conyngham Greene to Dr. Leyds the latter replied that it was necessary on account of the risk of fire. For about eight months, therefore, water was to be—and of course was—their only drink. Only once during the thirteen months did Du Plessis appear to 'get home.' It was when

out South Africa was reflected in the monotonous announcement which appeared in the *Cape Times* week by week for thirteen months:—'To-day Messrs. Sampson and Davies complete the — week of their imprisonment in Pretoria gaol for the crime of not signing a petition.' It seemed scarcely credible that the President should still harbour any illusions about his magnanimity; nevertheless, for some weeks before the celebration of the Queen's Record reign it was rumoured that the two prisoners were to be released upon that occasion as a mark of his Honour's sympathy. Opinion had not been unanimous upon the attitude of either the President or the prisoners; but an ugly incident silenced most of the President's apologists. Gold stealing and the purchase of stolen gold were being carried on on such a scale and with such impunity that at last, in desperation, the directors and officials of one of the big mining companies (the City and Suburban G.M. Co.), at the risk of being shot by desperadoes, took upon themselves the functions of the detectives and police. They caught 'red-handed' two notorious characters and delivered them over, with the gold in their possession, to the authorities. The thieves actually boasted then that nothing would happen to them as they had 'made it all right;' and a few days later one of them was allowed to escape out of the Court-house buildings which stand in the middle of a large square. The other was convicted and sentenced to six months' imprisonment. He was a criminal of a bad and dangerous type, the head of a gang known to be concerned in gold stealing and burglary as a profession. The penalty was regarded by all parties as most inadequate and the judge himself commented adversely upon the drafting of the law which tended to screen the prisoner. Not one mitigating circumstance was forthcoming! And yet, whilst ignoring a fresh outburst of protest against the detention of Messrs. Sampson and Davies, and whilst the Industrial Commission was exposing the gold thefts and denouncing the complicity of the police, Mr. Kruger decided to remit three-fourths of the

he proposed that the two should be separated and sent to out-of-the-way gaols, widely apart and distant from all friends. Without doubt the conditions told seriously upon their health, but as both men were endowed with exceptional physique and any amount of grit they were still able to take it smiling.

sentence and to discharge the thief unconditionally. Is it to be wondered that such ill-advised action called to mind the prisoners' boast, and that it was contrasted prominently with the treatment of the two Reformers?

Three events of importance marked the year 1897 in the history of the Transvaal. The first was the High Court crisis in February; the second, the appointment of the Industrial Commission of Inquiry; the third, the Queen's Record Reign celebration.

The High Court crisis arose out of the case of Brown *v.* The State, already referred to.[1] Brown had acted within his legal rights according to the terms of a proclamation. That proclamation had been illegally withdrawn, and the Government realizing that they would have to stand the consequences of their action in the courts of the country, introduced a law which was immediately passed by the Volksraad, absolving them from all liability, and practically non-suiting all claimants. Mr. Kotzé in his judgment declared this law to be improper and in conflict with the Constitution, and gave judgment in favour of Brown, but left the amount of damages to be determined later after hearing further evidence.[2]

The first Volksraad was then in special session, and the President promptly introduced a law known as Law 1 of 1897, which empowered him to exact assurances from the judges that they would respect all resolutions of the Volksraad as having the force of law and declare themselves not entitled to test the validity of a law by its agreement or conflict with the Constitution; and it further empowered the President in the event of his not being satisfied with the character of the replies to summarily dismiss the judges. The judges protested in a body that they would not submit to such treatment. The High Court was adjourned and all legal business was stopped. Particu-

[1] It is described as the Witfontein case. See page 100.

[2] When the case came up again in due course a decision was given by Mr. Gregorowski, the new Chief Justice, which was regarded by the plaintiff's advisers as a reversal of the first judgment, and the practical effect of which was to bring the case under the operations of Law 1 of 1897—that is to say, to put the plaintiff 'out of court.' Mr. Brown has appealed to the United States Government for redress.

larly emphatic was Mr. Justice Gregorowski. He stated that no honourable man could possibly sit upon the Transvaal Bench as long as Law 1 of 1897 remained upon the Statute Book. At this juncture Sir Henry de Villiers, Chief Justice of Cape Colony, came to Pretoria for the purpose of effecting a compromise and averting a crisis. The compromise was practically an armistice. The judges promised not to exercise the testing right pending the speedy introduction of a measure safeguarding the independence of the courts. Mr. Kruger on his side promised to refrain from enforcing the provisions of Law 1 of 1897, and undertook to introduce as speedily as possible the required new law.

The position in which the President found himself was undoubtedly one of some difficulty, but he chose a very bad way out of it. High-handed arbitrary methods cannot effect a permanent and satisfactory solution of a question of that character, but Mr. Kruger was unwilling to go to the root of the evil and to admit what Mr. Kotzé's judgment had brought home with perhaps too sudden force, namely, that the laws and system of Government were in a condition of complete chaos. The sequel can be told in a few words. In February, 1898, Mr. Kotzé considered that ample time had been allowed by him for the fulfilment of President Kruger's promise. Sir Henry de Villiers thought it proper to allow more time. The point of difference between Mr. Kotzé and Sir Henry de Villiers was the interpretation to be placed upon the expression 'this session,' which had been used in the previous February when the President had said that if he did not introduce the proposed measures this session, the judges might consider that he had failed to keep his promise. Mr. Kotzé contended that as the Raad was then in session it meant *that session*, and that in any case that session and another had passed, and a third was in progress and there was still no sign of the promised measures. Sir Henry de Villiers stated that in his opinion the reasonable construction would be that Mr. Kruger meant the following *ordinary* session, and that only ordinary sessions could be considered (for in each year there are one special and one ordinary session), so that the President might be entitled to claim the whole of the year 1898 within which to

fulfil his promise, but that this would be the extreme limit of forbearance, after which failure could only be regarded as a breach of faith. Sir Henry de Villiers in fact defended Mr. Kruger. Mr. Kotzé, however, held to his opinion; he wrote to the President reminding him of the undertaking, charged him with failure to keep his promise and withdrew the pledge which he had given. The President promptly exercised his right under Law 1 of 1897, and dismissed Mr. Kotzé, who had served the country as judge and chief justice for over twenty years. Whatever the merits of the particular case may be it appeared to be a shocking exhibition of arbitrary power to dismiss without compensation, pension, or provision of any sort, a man no longer young, whose services had been given for nearly a quarter of a century, who in the extreme dilemma of the Raid had stood by the President, and who, from some points of view, must be admitted to have served him 'not wisely but too well.'

Mr. Kotzé was not at that time popular among the Uitlanders on account of his action in the matter of the Reformers, and especially because he had acted on behalf of the Government in securing the services of Mr. Gregorowski for the Reform trial; but the circumstances of his dismissal and the fact that he was known to be dependent upon his salary as judge, taken in conjunction with the courageous stand which he had made against the President's arbitrary will, enlisted public sympathy on his behalf, and a purse amounting in all to about £6,000 was presented to him as a mark of appreciation for his past services. But then followed the 'most unkindest cut of all.' Mr. Gregorowski, who had resigned a judgeship in order to fill the post of State Attorney when Dr. Coster, in consequence of an insulting reference of the President's to his countrymen, relinquished it,—Mr. Gregorowski, who had been foremost to declare that no honourable man could possibly accept the position of judge while Law 1 of 1897 stood on the Statute Book, became Chief Justice *vice* Mr. Kotzé dismissed. And by way of finally disposing of the subject, the President when questioned in the Raad as to the explanation of his apologist, denied that he had ever made any promise of any sort or description to Sir Henry de Villiers or anybody else!

Mr. Justice Ameshof, who with Mr. Kotzé had made a stand against the President in this matter, was also obliged to relinquish his judgeship. Thus it will be seen that at one swoop Mr. Kruger disposed of three reputable intermediaries whom he had used to great advantage at one time or another. 'Something for nothing,' for Mr. Kruger! Whether Mr. Kotzé acted in haste or whether Sir Henry de Villiers' plea for more time was justified are questions which it is no longer necessary to discuss, not alone because Mr. Kruger denied ever having made the promise out of which the disagreement arose, but because even up to the present time no measure safeguarding the High Court has been introduced or foreshadowed in the legislature. And Law 1 of 1897, which according to Mr. Gregorowski made it impossible for any honourable man to sit upon the Bench, is still upon the Statute Book and Mr. Gregorowski sits as Chief Justice subject to its provisions.

No one disputes that the position of the High Court as determined by Law 1 of 1897 is a very unsatisfactory one, but the apologists for President Kruger frequently say that there has been no actual case of hardship, and that the Uitlanders are crying out before they are hurt. They maintain that it was a measure passed under great provocation for a particular purpose, and that the power granted under it, although very undesirable in principle, has never been used. This is incorrect; the power has been used, and injustice has been suffered. Two cases of actual hardship are those of Brown *v.* Government, the case out of which the whole matter arose, and the case of the Pretoria Waterworks Company. But there are other cases too which have never been brought into court having been either compromised or abandoned because of the hopelessness of the position, for it is obvious that there would be great reluctance on the part of business men to make a fight merely for the purpose of showing that they suffered under a disability when the result of such a fight would inevitably be to antagonize the only tribunal to which they could appeal.

The case of the Pretoria Waterworks Company is rather a bad one. The Government in 1889 gave a contract for the water supply of Pretoria. It was a permission, but not an

exclusive right, to supply the town from springs on Government ground. The President, finding that the contractor was not in a position to undertake the work, requested certain business houses to form a company to acquire this right and to supply the town with water. After inquiry into the local conditions and the probable costs, these people represented that unless they received the exclusive right they would be unable to undertake the work, as the cost of importing pipes and machinery transported from Natal by bullock waggon and the then expensive conditions of working would make the work so costly that at a later period, after the introduction of railways, it would be possible for competitors, such for instance as the projected Municipality of Pretoria, to establish a system of water supply at probably half the cost of the first one and thus compete to their disadvantage. For these reasons the contractor and his friends declined to proceed with the formation of the company. The President, however, was very desirous of having a good water supply, and after some months of negotiations the original contract was supplemented by a grant from the Executive Council, who then held plenary powers from the Volksraad, giving the proposed company the exclusive right. Immediately after the receipt of this grant the company was formed, the capital subscribed and the machinery and other material purchased. In 1898, after nine years of work, during which shareholders had received dividends averaging $2\frac{2}{3}$ per cent. per annum, some differences occurred between the Company and the consumers, and the latter combined and subscribed the necessary funds to take action in the High Court, the object being to challenge the exclusive right and to enable the town through its Municipality to provide its own supply. At the same time the Government at the instance of the townspeople opened negotiations with the Company with a view to expropriation in accordance with the terms stipulated in the original contract. While matters were in this position, however, certain members of the Volksraad prominently concerned in the action against the Company, introduced a measure in the Volksraad cancelling the second or exclusive grant made by the Government nine years before and

recommending that the Government should either buy out the Waterworks Company upon suitable terms or should give the necessary facilities to the Town Council to introduce another system of supply. The application of the Company to be allowed to state its case was ignored, and after a short discussion the resolution was passed and the measure became law. By the action of the Volksraad the Company was deprived of that principal asset upon the security of which the capital had been subscribed, and the Government were rescued from an awkward position. The Government took no steps to defend their action in granting the right or to protest against the action of the Volksraad, and became, therefore, parties to an act of piracy. The Company were thus placed entirely at the mercy of the Government, for under the provisions of Law 1 of 1897, the Volksraad resolution put them out of court both as to upholding their title and claiming damages. All doubts as to the Government's complicity in this action were removed when upon negotiations being opened for the expropriation of the Company the Government refused to follow the procedure prescribed in the contract on the ground that as the Company had now lost the exclusive right they must accept a less sum in compensation, otherwise the Government would authorise the rival Municipal scheme. Under these circumstances the shareholders having no other power to appeal to adopted the common-sense course of taking what they could get. The result can only be expressed in figures. The shares, which had been purchased at over 40s. at the time of the Volksraad's action were worth less than 28s. in liquidation.

The inquiry into the Raid by the Select Committee of the House of Commons, early in 1897, was productive of a result which is not always traced to its real cause. The greatest dissatisfaction was expressed in the Transvaal and among all the Boers in South Africa with one feature of the Westminster inquiry, viz., the investigation of the causes which made the Raid possible. Mr. Kruger and his friends had enjoyed such a run of luck and so much indulgence, and had been so successful in presenting their side of the case only, that it seemed to them improper that anyone should wish to inquire into all the circumstances. It would even appear from what

followed that the President had convinced himself that there were no grievances, that he was an entirely innocent party deeply injured by the Reformers and the British Government, and that the Westminster inquiry had been authorized and conducted for the sole purpose of exposing him and justifying the Reform movement.

As the months dragged on and no improvement in the conditions of the Uitlanders took place, as indeed the complaints grew louder and the state of affairs grew worse, the President again began to hear the voices calling for reform. Timid whispers they were, perhaps, and far between, for the great bulk of the Uitlanders were in a morose and sullen mood. Having tried and failed on stronger lines they were incapable as yet of returning with any heart to the old fruitless and already rejected constitutional methods. The suggestions for reform, consequently, came principally from those who were on friendly terms with the Boer party and believed themselves to carry some weight. They have by this time learned that nobody carries weight with President Kruger unless he has power to back his suggestions. Many years before, the late Mr. W. Y. Campbell as spokesman of a deputation from Johannesburg, addressing President Kruger, stated in the course of his remarks that the people of Johannesburg 'protested' against a certain measure. The President jumped up in one of his characteristic moods and said: 'Protest! Protest!! what is the good of protesting? You have not got the guns! I have.' And Mr. Campbell, in reporting this in Johannesburg, remarked: 'That man is sensible; he knows the position. I claim to be sensible also, and I know he is right: you can take my name off any other deputations, for we'll get nothing by asking.'

It is stated, and the statement comes from one who claims to have been the father of the suggestion, that the President was induced to appoint a commission of inquiry by the argument that if, as he believed, the wretched state of affairs in Johannesburg was due not to the action of the Government but to the greed, machinations, and mismanagement of the capitalists, nothing could suit the latter worse than to be taken at their word and to have a commission appointed to take evidence on oath and to publicly inquire into the state of affairs; in fact

to copy the Westminster inquiry. It is conceivable that the resolute refusal to investigate matters or to listen to complaints or explanations which the President had throughout maintained may have been the means of preserving a blissful faith in the strength of his own case and the rottenness of the Uitlanders'; at any rate, it seems to be an undoubted fact that the Industrial Commission of Inquiry, which was appointed by the Executive at the request of the President, was appointed in the confident belief that it would shift the burden of responsibility from his shoulders to those of the capitalists. This construction of his motives may appear to be severe and perhaps even unfair, but it is entirely borne out by the manner in which he dealt with the report of the Industrial Commission, fighting against its acceptance, ignoring the recommendations of relief, and even imposing fresh burdens. There is, nevertheless, one thing to be deduced which is in a manner to Mr. Kruger's credit, and that is that he really must have believed that the case would—from his point of view—bear inquiring into.

The members of the Commission with power to vote were Messrs. Schalk W. Burger, Member of the Executive Council (Chairman); J. S. Smit, Government Railway Commissioner; Christiaan Joubert, Minister of Mines; Schmitz-Dumont, Acting State Mining Engineer; and J. F. de Beer, first special Judicial Commissioner, Johannesburg. Mr. Thos. Hugo, the General Manager of the National Bank, was appointed financial adviser, and certain advisory members were arbitrarily selected by the Government. The complete exclusion of all those who had had any direct or indirect association with the late Reform movement or with those in any way connected with it strengthened the conviction that the Government designed the Commission to be a whitewashing one; but whatever the design may have been it would be doing an injustice both to the Government officials and to the advisory members to have it supposed that they were parties to such an idea. They were not; they did their work admirably, and no inquiry could have been conducted in a better spirit. This, however, was not foreseen, and it was with the greatest difficulty that the Uitlanders were induced to view the thing seriously and to realize that, no

matter how it had occurred, this was a supreme opportunity for proving to the world the soundness of their case. The report and proceedings are published by the Witwatersrand Chamber of Mines in a volume containing over 700 pages of printed matter and a number of diagrams. The whole constitutes a damning indictment of the Government, as the following extracts from the report of the Commission testify :—

Your Commission are pleased to state that at present there exist all the indications of an honest administration, and the State, as well as the Mining Industry, must be congratulated upon the fact that most of the mines are controlled and directed by financial and practical men who devote their time, energy, and knowledge to the mining industry, and who have not only introduced the most up-to-date machinery and mining appliances, but also the greatest perfection of method and process known to science. But for these a good many of the mines now producing gold would not have reached that stage. . . .

To avoid such a calamity (viz., the closing down of the mines) your Commission are of opinion that it is the duty of the Government to co-operate with the mining industry, and to devise means in order to make it possible for lower-grade mines to work at a profit, and generally to lighten the burdens of the mining industry. This and the development and equipment of the new mines are a few examples among others where it is desirable that the Government shall take an active part, especially when the fact is taken into consideration that up till now the mining industry must be held as the financial basis, support, and mainstay of the State.

The question, therefore, becomes one of national economy, and it is incumbent upon the Government, considering the rapid growth and progress of the country, to so alter its fiscal laws and systems of administration as to meet the requirements of its principal industry. . . .

Your Commission entirely disapprove of concessions, through which the industrial prosperity of the country is hampered. Such might have been expedient in the past, but the country has now arrived at a state of development that will only admit of free competition according to republican principles. This applies more especially to the gold industry, which has to face its own economical problems without being further burdened with concessions that are irksome and injurious to the industry and will always remain a source of irritation and dissatisfaction.

As to white labour :—

Your Commission are of opinion that wages are not excessive, regard being had to the high cost of living at the mines. In fact, they are only sufficient to satisfy daily wants, and, consequently, it cannot be expected that white labourers will establish their permanent abode in this Republic unless conditions are made by which their position will be ameliorated. . . .

Your Commission are of opinion that as long as the cost of living cannot be considerably reduced it will be almost impossible to reduce

the wages of white labourers, and they would strongly recommend that, as far as possible, necessaries of life should be imported free of duty and conveyed to the mines as cheaply as possible.

As to the sale of liquor:—

It has been proved to your Commission that the Liquor Law is not carried out properly, and that the mining industry has real grievances in connection therewith, owing to the illicit sale of strong drink to the natives at the mines, and they wish especially and strongly to insist that the stipulations of article 16 of the law shall be strictly enforced. The evidence given on this point proves that a miserable state of affairs exists, and a much stronger application of the law is required.

Following this there is a long criticism with recommendations in detail.

As to import duties:—

With reference to this matter, your Commission can only recommend that, if possible, foodstuffs ought to be entirely free from taxation, as at the present moment it is impossible to supply the population of the Republic from the products of local agriculture and consequently importation is absolutely necessary.

As to explosives:—

Before entering on this subject, we wish to put on record our disappointment with the evidence tendered on behalf of the South African Explosives Company, Ltd. We expected, and we think not unreasonably, that they would be able to give reliable information for our guidance respecting the cost of importation, as well as of local manufacture, of the principal explosives used for mining purposes; but, though persistently questioned on these points, few facts were elicited and we regret to say that they entirely failed to satisfy us in this important respect. . . .

That the principal explosives used here can be purchased in Europe, and delivered here at a price far below the present cost to the mines, has been proved to us by the evidence of many witnesses competent to speak on the subject, and when we bear in mind that the excess charge of 40s. to 45s. per case does not benefit the State, but serves to enrich individuals for the most part resident in Europe, the injustice of such a tax on the staple industry becomes more apparent and demands immediate removal.

After showing that the dynamite monopolists make a profit of 47s. 6d. per case on No. 1 dynamite, and 55s. on blasting gelatine, over and above the price at which the mines could buy explosives if there were no monopoly or protection, the report goes on:—

The Mining Industry has thus to bear a burden which does not enrich the State or bring any benefit in return, and this fact must always prove a source of irritation and annoyance to those who, while willing to contribute to just taxation for the general good, cannot acquiesce in an impost of the nature complained of. . . .

Your Commission inspected the factory at Modderfontein, and it must be admitted that the construction of the works and general equipment are in many respects admirable, and it appears to us greatly to be regretted that so much money should have been invested in an undertaking for the manufacture of any article whereof the ingredients have to be imported at a great cost, four tons of raw material being required to produce one ton of the manufactured article.

It has been proved to our satisfaction that none of the raw material used is found in this country, or only in such small quantities as to make it practically valueless for the purpose required. . . . All these drawbacks, which make it almost impossible to establish a bonâ-fide industry, fall on the mines and render their task, especially that of the low-grade mines, extremely difficult and discouraging. Another point that has been brought to the notice of your Commission is the prejudicial effect exercised by this monopoly in practically excluding from the country all new inventions in connection with explosives, and, in view of the numerous dynamite accidents that have taken place from time to time, it is to be regretted that it is not possible to make satisfactory trials of other and less dangerous explosives for the working of the mines. These questions have received the careful consideration of your Commission, who are forced to the conclusion that the factory has not attained the object for which it was established, and that there is no reasonable prospect of it doing so. Further, that there are good grounds for believing that the contractors have failed to comply with the conditions of their contract.

For the aforesaid reasons, and in view of the opinion expressed by the Volksraad Dynamite Commission, that the legal position of the Government against the contractors is undoubtedly strong, your Commission desire to recommend that the case be placed in the hands of the legal advisers of the State, with a view to ascertaining whether the contract cannot be cancelled.

Meanwhile your Commission recommend that the Government avail itself forthwith of its right under Article 15 of the Regulations, to take away the agency of trading in gunpowder, dynamite, cartridges, and other explosives from the above-mentioned persons and at once take into its own hands the importation of dynamite and other explosives for the benefit of the mining industry, subject to a duty of not more than 20s. per case or such other less sum as may be determined from time to time.

This protective duty, while considerably increasing the revenue of the State, will at the same time offer ample protection to any industry of this description in the Republic. In the event of cancellation being advised to be possible, free trade in explosives to be at once established, subject to a duty of 20s. per case or such other less duty as may be determined upon from time to time, and manufacturing of other explosives in the Republic to be allowed, and also to be protected by the same import duty. . . .

Your Commission desire further to observe that it is not clear to them, judging from the published accounts of the South African Explosives Company for 1895 and 1896, that the Government receives the proportion of surplus profit secured to it under the contract, viz., 20 per

cent., and would strongly recommend, in accordance with Article 6 of the contract, an immediate investigation of the Company's accounts by qualified accountants, in conjunction with the financial adviser of the Commission, in order to find out what amount is still due to the Government under this head.

As to railways :—

Your Commission have followed with great attention and interest the evidence and statistics submitted on this point. From those it appears that not only are the tariffs charged by the Netherlands Railway Company such that by the reduction of the same the industry would be considerably benefited, but that such a reduction would necessitate that the neighbouring States and Colonies would also have to reduce their tariffs considerably.

Your Commission have come to the conclusion that, taking into consideration the evidence submitted to them, and taking the gross revenue of traffic of goods at about £2,000,000 (as in 1896) it would be desirable to recommend so to regulate the tariff that the gross revenue for 1896 would have been reduced by £500,000, equivalent to an average reduction of 25 per cent. Further, your Commission deem it desirable that the Government shall make such arrangement as will secure to them in the future a voice in the fixing of the tariffs of the N.Z.A.S.M., and express their confidence that as soon as prosperous times will warrant such a course a further reduction in tariffs will be effected. Your Commission wish to recommend that the reduction will be chiefly applied to traffic of coal, timber, mining machinery, and foodstuffs, according to a scale to be agreed upon between the Government and the N.Z.A.S.M. Your Commission are of opinion that in this manner the industry will be met in a very fair way. Your Commission wish to express the opinion that it is absolutely necessary that the reduction in all local tariffs will be brought about as speedily as possible, while they express the hope that where the co-operation of the neighbouring States and Colonies is required, negotiations will be initiated and carried out so speedily that the reductions to be so initiated will come into force not later than 1st January next. Several witnesses and some of the Commission have urged the expropriation of the N.Z.A.S.M. by the Government. Your Commission, however, for several reasons known to them, and after same have been communicated to those members of the Commission who wished to urge the expropriation of the N.Z.A.S.M., do not at the present moment desire to urge expropriation provided by the other means terms can be secured from the Company so as to obtain the reduction at present urgently required on the basis as above set forth. Your Commission have been informed that the Company have proposed to adopt the dividends of the three years 1895, 1896, and 1897 as a basis for the expropriation price, and your Commission can agree to such proposal. The expropriation price being thus fixed, the Company will have all the more reason to co-operate towards the lowering of the tariffs. Further, it appears from the evidence of the managing director of the N.Z.A.S.M., that in consideration of the reduction of tariffs, he wished to have secured to the Company a certain period of existence. Your Commission cannot recommend this course, because they do not deem the same to be in the interests of the State, and it would be contrary to the wishes of the public.

As to gold thefts :—

According to the evidence submitted to your Commission, gold thefts are on the increase, and although the Volksraad has given the matter their favourable consideration, and have, at the instance of the Mining Industry, so amended the Gold Law as to provide for the punishment of the sale and being in possession of raw gold, still it has been stated to your Commission in evidence, that the gold thefts amount to about 10 per cent. of the output, equivalent to an amount of £750,000 per annum. It follows that the administration of the law must be faulty, because there are only very few instances where the crime has been detected and punished. If those figures are not exaggerated, and your Commission have no reason to suppose so, then this matter deserves the serious consideration of the Government. The suppression of this crime can be considered as a real saving to the industry, and this amount of three-quarters of a million would, especially in times of depression, exercise a large influence on the yield and financial position of the mines. The industry ask that the penal clauses regarding this matter shall be eliminated from the Gold Law, and that a separate law be passed, more or less on the basis of the I.D.B. Law of Kimberley, Cape Colony, and that measures shall be taken by which the injured parties shall be enabled to exercise control, and have supervision over any department to be established for the detection and suppression of thefts of new gold. Your Commission are of opinion that the Government could grant this request without injuring their dignity, on the basis hereinafter mentioned. On the contrary, it would remove the blame from the present administration, viz., that these thefts can be practically carried on with impunity.

As to the Local Board :—

The evidence which has been laid before your Commission has contained suggestions to establish a Board on which Government nominees and representatives of the mining industry and of the commercial community of the Witwatersrand should sit, so that the Government representatives should have the benefit of the experience of men whose daily occupation it is to look closely into all the affairs appertaining to the mines, &c. Your Commission is of opinion that it is advisable that these suggestions should be acted upon. The scope of this Board should consist of the supervision of the administration of the following laws, viz. :—

The Liquor Law as far as it concerns the proclaimed goldfields, the Pass Law, and the Law relating to Gold Thefts; and the Board will further have an advisory voice in the supply of natives to the mines, which your Commission has recommended your Government to take into its own hands. The area under the surveillance of the Board should include the Heidelberg, Witwatersrand, and Klerksdorp districts, and other goldfields as may be found desirable hereafter. Your Commission suggests that the Board consists of the following: Five members to be appointed by the Government, and four delegates to be appointed by the following bodies, with the consent of the Government, viz., one delegate of the Chamber of Mines, one of the Association of Mines (or in case of an amalgamation, two representatives of the new Chamber), a nominee of the Mine Managers' Association, and a nominee of the commercial community of Johannes-

burg. Your Commission would advise that a separate detective force be placed under the department, whose duty it should be to detect any infringements of the above-mentioned laws, and to bring the offenders to justice in the ordinary course of law. It should also be in the sphere of the Board's work to report to the proper authorities any laxity on the part of the officials who have to administer the above-mentioned laws. The Board is to report to the Executive Council upon the working of the laws referred to, and to suggest alterations. It must be well understood that the power of this Board must in no way clash with the sphere of the Minister of the Mines department and the Licensing Board, but co-operate with the same. We should adduce as a reason the more for the creation of such a Board that Government could depute to them the right to receive deputations, hear their arguments, and report to the Government on the subject, whereby a great saving of time would be the result. We would recommend that the Commission be appointed at once, and that they shall frame their proposals for regulations and submit them at once to the Government.

The establishment of a local mining board has been strongly urged by witnesses. From an industrial and financial point of view this country must be considered as still in its infancy, and, without loss of dignity or prestige, the Government may accede to the above request. Experience in these matters can only be attained after the lapse of long years, and by coming in contact with experts from other countries the State will reap the benefit of the knowledge obtained in their country, where these problems have for decades exercised the minds of their leading citizens.

In conclusion, your Commission fervently hope that they have truly and faithfully interpreted the object of the inquiry, and that their suggestions and recommendations, if acted upon, will confer a lasting benefit on the country and people.

The evidence, as has been stated, was all given on oath, and some very interesting details came out. In one case Dr. Leyds's system of misrepresentation was exposed. Whilst the Commission was actually taking evidence the then State Secretary in an interview with the Paris *Temps* strongly supported the dynamite monopoly, and stated that the price charged, namely, 90s. per case, was the same at which the Chamber of Mines had offered to enter into a sixteen years' contract with Nobel's factory. A witness questioned on this point explained that this was quite true as regards price, but that Dr. Leyds had suppressed the essential fact that whereas out of the 90s. paid to the monopolists the Government only receive 5s. by way of duty, they would out of the 90s. which it was proposed to pay for Nobel's dynamite receive no less than 38s. per case as duty, and that if the contract proposed by the Chamber had been made the Government would have profited during the previous four years to the extent of

£1,200,000 instead of £150,000. Upon another occasion light was thrown on dark places in a rather disconcerting fashion. Mr. Christiaan Joubert, Minister of Mines, took one of the witnesses in hand with the object of showing that the people of Johannesburg had only themselves to thank for the loss of confidence in this business. The following questions and answers are from the official report :—

Should not the Chamber of Mines co-operate with the Department of Mines to get a law protecting European shareholders from being defrauded by swindlers?—I don't know if such a law could be framed without interfering with what, in other countries, is considered to be personal liberty. You have to come to the point whether the man intended to swindle, and that can only be settled by the Court, as a matter of personal judgment. If a good law could be devised it would be beneficial.

Is there no possibility for the Chamber of Mines to work with the Department for the passing of such a law?—I don't know if laws exist in France, Germany, England, or America, to that specific effect; but if so, I would be guided by the wisdom and immense experience of the law makers of those countries, otherwise we might be rushing in where angels fear to tread.

Is it then possible? Are you willing to discuss the matter with us?—Oh, yes; but I do not think that that is exactly what is wanted in order to restore confidence. Lots of things combine to shake the confidence of investors. For instance, to deal with some small and homely matters, I was told by a member of the Sanitary Board yesterday that an application for the underground rights of the Market Square, had been made by Mr. Jan Meyer, a leading member of the Volksraad. That does not help to restore confidence. The Sanitary Board applied for a portion of the Telephone Tower Park in order to erect a Town Hall. They were refused. Now, some one has made an application for the right to erect swimming baths. That does not restore confidence. I hope the mere publication of these things will prevent them from succeeding. The Sanitary Board applied for the Union Ground, also for public purposes, but it was granted to private applicants on the quiet. They have hawked it about and borrowed money on it. It was offered to many of the big capitalists here, but they would not touch it. The Sanitary Board are told that a building is to be put up, in which fifty rooms will be set aside for them, but they are not satisfied that the authorities should do good by stealth and blush to find it fame.

I cannot understand how mere applications can shake confidence?—Well, they do, because they are only made when there is a chance of their being granted. But, if you want facts, I will tell you what shook the investor's confidence as much as anything that has happened for years—that was the Ferreira claim-jumping raid, which it was sworn to in Court had been suggested by you yourself, Mr. Joubert.

Not 'suggested' by me——

The Chairman said the witness was straying away from the original question.

Witness said that the Minister of Mines had wanted examples of what shook confidence, so he was obliged to give them.

The report of the Commission created a very favourable impression. The majority of people believed that although it might not be entirely acted upon, yet it would be quite impossible for the President and the Volksraad to disregard suggestions made by so influential a group of officials as those forming the Commission, and that at any rate most of the recommendations would be accepted. The unbelieving few who knew their President Kruger, however, waited for something to be *done*. Presently ominous rumours went round about differences in the Executive. Then came the scenes in the Volksraad, when the President revealed himself and charged Mr. Schalk Burger with being a traitor to his country for having signed such a report, followed by the usual fight and the usual victory for the President, and the usual Committee constituted mainly of extreme Conservatives appointed to report upon the other Commission's report; and then the usual result: Something for nothing. The Netherlands Railway made an inconsiderable reduction in rates, which it appears was designed to buy off, and did succeed in buying off, further scrutiny of its affairs. With regard to the two big monopolies, Dynamite and Railway, it appears that the Volksraad Commission accepted the private assurances of the monopolists as sufficient warrant for reversing the conclusions of the Industrial Commission. The proposed Local Board for the goldfields was promptly ruled out as an unthinkable proposition, a government within a government, and was so denounced by the President himself. But the report of the Volksraad Committee contained one supreme stroke of humour. It adopted the recommendations of the Industrial Commission to remit the duties upon certain articles of consumption so as to make living cheaper, but as a condition it stipulated that in order that the State revenue should not suffer, the duty upon other articles of consumption should be increased so as to rather more than counterbalance the loss. That was one result which the Uitlanders had in the beginning confidently expected: Something for nothing. But the other result upon which they had also calculated was a valuable one. They had put their case on record and for the future the task of justifying the Uitlanders' cause was to be

reduced to the formality of pointing to the Industrial Commission's report.

The third event of importance, and an event of much greater importance than has generally been recognised, was the Queen's Record Reign celebration in Johannesburg. 'Britons, hold up your heads!' was the watchword with which the late Mr. W. Y. Campbell started to organize what he eventually carried out as the biggest and most enthusiastic demonstration ever made in the country. No more unselfish and loyal subject of her Majesty ever set foot in South Africa than Mr. Campbell, whose organization and example to 'Rand Britons,' as he called them, did more to hearten up British subjects in the Transvaal than has ever been fully realized or properly acknowledged. The celebration was an immense success in itself, and besides restoring the hopes and spirits of British subjects it promoted generally a better feeling and a disposition to forget past differences.

One of the consequences of the Raid and Reform had been a split in the Chamber of Mines caused by the secession of a minority who held views strongly opposed to those of the Reform party. It has always been the policy of the Government to endeavour to divide the Rand community. This is no vague general charge: many instances can be given extending over a number of years. The accidental revelations in a police court showed that in 1891 the Government were supporting from the Secret Service Funds certain individuals with the object of arranging labour unions to coerce employers upon various points. The movement was a hopeless failure because the working men declined to have anything to do with the so-called leaders. When the split took place in the Chamber of Mines, it became the business of Dr. Leyds and the President to keep the rift open. This was done persistently and in a very open manner—the seceders being informed upon several occasions that a fusion of the two Chambers would not be welcome to the Government. Both before and since that time the same policy has found expression in the misleading statement made on behalf of the Government upon the compound question (namely, that the companies were aiming at com-

pounding all the natives and monopolizing all the trade of the Rand), a statement made to divide the mercantile from the mining community. The fostering of the liquor industry with its thousands of disreputable hangers-on is another example; the anti-capitalist campaign carried on by the Government press another. And the most flagrant of all of course is the incitement to race hatred. *Divide et impera*, is a principle which they apply with unfailing regularity whether in their relations with other countries, in the government of their own State, or in their dealings with private individuals. Happily for the Rand community the effort to settle their internal differences was successful; towards the end of 1897 the fusion of the two mining chambers took place, and the unanimity thus restored has not since been disturbed.

By this time even the most enthusiastic and sanguine friends of the Government had to some extent realized the meaning of the 'something for nothing' policy. They began to take count of all that they had done to please Mr. Kruger, and were endeavouring to find out what they had got in return. The result, as they were disposed to admit, was that for all the good it had done them they might as well have had the satisfaction of speaking their minds frankly as the others had done. The Raad's treatment of the Industrial Commission report had estranged all those who had taken part in the deliberations of the Commission, and as Mr. Kruger had been careful to select only those whom he believed to be friendly to him he suffered more in the recoil than he would otherwise have done. He fell into the pit which he had himself dug.

Mr. Kruger was fast losing his friends, and another affair which occurred about this time helped to open the eyes of those who still wished to view him in a favourable light. Mr. Chamberlain in the course of some remarks had stated that the President had failed to fulfil the promises which he had made at the time of the Raid. His Honour took an early opportunity to denounce Mr. Chamberlain to Mr. J. B. Robinson and the manager of the then Government newspaper in Pretoria. 'I would like Mr. Chamberlain to quote,' he said, 'any instances of my failure to keep my promises, and I will know how to answer him.' The chal-

lenge was published and Mr. Chamberlain promptly cabled instructions to the British Agent to ask President Kruger whether he had said this and if so whether he really did desire a statement by Mr. Chamberlain of the character indicated. Mr. Kruger took his own peculiar way out of the dilemma; he repudiated the intermediaries, denounced the statement as untrue, and said that he was not in the habit of conveying his requests through irresponsible nobodies. The result was the immediate resignation of the newspaper man and final rupture between the President and Mr. Robinson. Thus were two more thick-and-thin supporters cast off at convenience and without an instant's hesitation, and thus were provided two more witnesses to the 'something for nothing' policy. This incident was the immediate cause of the fusion of the Chambers.

It had all along been realized that while Lord Rosmead continued to act as High Commissioner in South Africa there would be no possibility of the Uitlanders' grievances being again taken up by her Majesty's Government. The High Commissioner had committed himself to the opinion that it would be unsuitable and indeed improper to make any representations on the subject for a considerable time. Moreover, his age and ill-health rendered him unfit for so arduous a task. Many hard things have been said and written about the late High Commissioner, but it must be admitted that with age and infirmity weighing him down he was confronted by one of the most desperate emergencies which have ever arisen to try the nerve of a proconsul. It is true that the responsibilities of Government are not to be met by excuses: the supports of the Empire must stand the strain or be condemned. But it is also true that those who regard themselves as victims may not lightly assume the functions of independent judges: and thus it was that in a mood of sympathy and regret, with perhaps some tinge of remorse, the news of Lord Rosmead's death was accepted as evidence unanswerable of the burden which in the autumn of his days he was called upon to bear.

When the name of Sir Alfred Milner was mentioned as the coming High Commissioner all South Africa stood to attention. Seldom surely has a representative of the Queen been

put through such an ordeal of examination and inquiry as that to which Sir Alfred Milner's record was subjected by the people of South Africa. Not one man in a thousand had heard his name before; it was as some one coming out of the great unknown. The first feeling was that another experiment was being made at the expense of South Africa; but almost before the thought had formed itself came the testimony of one and another and another, representing all parties and all opinions in England; and the Uitlanders in the Transvaal began to hope and finally to believe that at last they were to have a man to deal with who would exhibit those qualities of intelligence, fairness, and firmness, which they regarded as the essentials. Every word that was said or written about the new High Commissioner was read and studied in South Africa. Every reference made to him by the representatives of the various political parties was weighed and scrutinized, and the verdict was that it was good! Fair firm and able. There had not been a discordant note nor a voice lacking in the chorus which greeted the appointment; and the judgment was, 'They have given one of England's very best.'

The impression had somehow gained ground in South Africa that the first act of Sir Alfred Milner would be to visit the Transvaal and endeavour to arrange matters. The hearts of the Uitlanders sank at the thought of even the ablest and best-intentioned of men tackling so complicated a problem without any opportunity of studying the local conditions and the details. It was therefore with undisguised satisfaction that they received the new High Commissioner's assurance that as the representative of her Majesty he had plenty of work before him in visiting and making himself acquainted with the conditions and requirements of her Majesty's dominions in South Africa, the people of which had the first call upon his services. The statement cleared the political atmosphere and had a distinctly cooling effect upon the overheated brain of the Boer party, who had by this time convinced themselves that Pretoria was firmly established as the hub of the universe and that an expectant world was waiting breathlessly to know what President Kruger would do next.

Mr. Conyngham Greene, an experienced member of the Diplomatic Corps, who had been appointed towards the end of 1896 to succeed Sir Jacobus de Wet as British Agent in Pretoria, had by this time gained some experience of the ways of Pretoria. Probably few servants of the Crown have been called upon to perform a service more exacting or less grateful than that which fell to the British Agent during the period in which Mr. Conyngham Greene has held the post. Conscious that his Government was prevented by the acts of others from vindicating its own position, hampered by the knowledge of immense superiority of strength, dealing with people who advanced at every turn and under every circumstance their one grievance as a justification for all the acts of hostility which had preceded that grievance or had been deliberately perpetrated since, he was compelled to suffer snubs and annoyances on behalf of his Government, with no relief but such as he could find in the office of recording them. A good deal had been done by Mr. Conyngham Greene to establish visible and tangible evidence of the desire of her Majesty's Government to interest themselves in the condition of British subjects and—as far as the exigencies of a very peculiar case would for the time permit—to protect them from at least the more outrageous acts of injustice; but the strength of the chain is the strength of the weakest link, and it was always felt that until the link in Cape Town was strengthened there was not much reliance to be placed upon the chain.

Very frequently surprise has been expressed that, after the fortunate escape from a very bad position which the Jameson Raid afforded to President Kruger's party, the Boers should not have learned wisdom and have voluntarily undertaken the task of putting their house in order. But having in mind the Boer character is it not more natural to suppose that, inflated and misled by a misconceived sense of success and strength, they should rather persist in and exaggerate the ways which they had formerly affected? So at least the Uitlanders thought and predicted, and their apprehensions were amply justified. In each successive year the Raad has been relied upon to better its previous best, to produce something more glaring and sensational in the way of improper

laws and scandalous measures or revelations than anything which it had before done. One would imagine that it would pass the wit of man to devise a means of exploiting the Uitlanders which had not already been tried, but it would truly appear that the First Volksraad may be confidently relied upon to do it.

In the year 1897 some things were exposed which appeared, even to the Uitlanders, absolutely incredible. What is now known as the 'donkeys and mealies scandal' was one of them. For the ostensible purpose of helping burghers who had been ruined by the rinderpest the President arranged for the purchase of large numbers of donkeys to be used instead of oxen for draught purposes, and he also arranged for the importation of quantities of mealies to be distributed among those who were supposed to be starving. Inquiries instituted by order of the Volksraad revealed the fact that Volksraad members and Government officials were interested in these contracts. The notorious Mr. Barend Vorster, who had bribed Volksraad members with gold watches, money, and spiders, in order to secure the Selati Railway Concession, and who although denounced as a thief in the Volksraad itself declined to take action to clear himself and was defended by the President, again played a prominent part. This gentleman and his partners contracted with the Government to supply donkeys at a certain figure apiece, the Government taking all risk of loss from the date of purchase. The donkeys were purchased in Ireland and in South America at one-sixth of the contract price. The contractors alleged that they had not sufficient means of their own and received an advance equal to three-quarters of the total amount payable to them; that is to say for every £100 which they had to expend they received £450 as an unsecured advance against their profits. It is believed that not 10 per cent. of the animals were ever delivered to the farmers for whom they were ostensibly bought. An attempt was made in the Volksraad to have the matter thoroughly investigated and to have action taken against the contractors, but the affair was hushed up and, as far as it is possible to ascertain, every penny payable under the contract has been paid and lost.

In the matter of the mealies (maize, the ordinary native

food), large quantities were bought in South America. It was alleged in the Volksraad that the amount was far more than was necessary and that the quality was inferior, the result being that the Government were swindled and that the State, being obliged to sell what it did not require, was entering unfairly into competition with the merchants and producers in the country. But the real character of this mealie swindle can only be appreciated when it is known how the contract originated. The contractors having bargained to deliver donkeys, approached the President with the explanation that donkeys being live-stock, would have to be accommodated upon an upper deck where there was ample ventilation; the result of which, they said, would be that the ship would be top-heavy and would be obliged to take in ballast. Surely, it was argued, it would be folly to carry worthless ballast when good mealies, which were in any case badly needed in the country, would serve the purpose of ballasting equally well and would, of course, show a very large profit. A contract for mealies was therefore entered into. When the inquiry was instituted in the Volksraad certain awkward facts came to light, and it devolved upon Mr. Barend Vorster to explain how it happened that the mealie 'ballast' arrived and was paid for before the donkeys were shipped. That worthy gentleman may still be thinking out the explanation, but as the money has been paid it cannot be a cause of great anxiety.

In order to preserve a true perspective the reader should realize that the President defended both these affairs and that the exposures took place while the recommendations of the Industrial Commission were being discussed in the Raad and fiercely combated by the President himself.

The matter of the Selati Railway was again brought into prominence in 1897. It is quite impossible as yet to get at all the facts, but it is very generally believed that a swindle of unusual dimensions and audacity remains to be exposed, and that a real exposure would unpleasantly involve some very prominent people. At any rate the facts which became public in 1898 would warrant that suspicion. The Selati Railway Company alleged that they had been unjustly deprived of their rights, and the Government admitting repu-

diation of contract took refuge in the plea that in making the contract they had acted *ultra vires*. It was, in fact, an exemplary case of 'thieves falling out' and when the case got into the law courts a point of real interest to the public came out; for the Company's lawyers filed their pleadings! The following account of the case is taken from the newspapers of the time. The plea of the Selati Railway Company states that—

the Government was very desirous that the railways should be built, and that for the purpose the business should be taken in hand by influential capitalists, and that, having full knowledge of the sums asked for by the original concessionaires they insisted upon the said capitalists coming to an agreement with the concessionaires and paying them the amounts asked; that it was thus understood between the said capitalists and the Government of the South African Republic that the sum named in the concession as the price to be paid to the concessionaires for the formation of the Company was wholly insufficient under the altered conditions, and that further sums had to be expended to cover not only the increased amount demanded by the original concessionaires, but *also other sums of money which were asked by and paid to different members of the Executive Council and Volksraad of the South African Republic and their relatives and friends as the price for granting the concession.*

The matter came before the High Court, and several of the exceptions put forward on behalf of the Government were sustained. Regarding the accusation mentioned, Mr. Advocate Esselen, who was counsel for the State, excepted that names and particulars should be inserted, and also that the State was not bound by the action of the Government or Executive. He quoted the Volksraad resolution or *besluit* upon which the concession was granted, showing that £10,000 was mentioned as the sum to be received by the concessionaires, and then proceeded:—

'Now, I say that the Government could not contract with the Company at a higher figure than is above set forth. The measure of authority granted to the Government is set forth in the Volksraad *besluit* which I have read, and the Government could not exceed its authority. Second, the defendant Company makes allegations which are tantamount to fraudulent dealing on the part of the agents of the State. But it will be said that it is the State which sues, and that it cannot be heard to avail itself of the wrongful acts of its agents. In this matter, however, it is the State Secretary who sues on behalf of the State. The State is not bound in any event by the acts of individual members of the Government. It was the Government which was entrusted with a power of attorney on behalf of the State.'

This doctrine, so fatal to concessionaires and their methods, led to the following interesting colloquy:—

Mr. Justice JORISSEN: Do you persist in this exception, Mr. Esselen?
Mr. ESSELEN: Certainly I do.
Mr. Justice JORISSEN: You have been very fortunate in succeeding

on two exceptions. Without pressing you in the least, I am inclined to suggest that you withdraw this exception.

Mr. ESSELEN: I cannot possibly withdraw it, but I am willing to allow it to stand as a special plea and to argue it at a later stage.

Mr. Justice JORISSEN: As I said, I don't wish to press you, but it seems to me that this is a very dangerous question.

Mr. ESSELEN: It is a very important question.

Mr. Justice JORISSEN: It is not only an important but a perilous question.

In an amended plea filed by the Selati Railway Company they give the names of persons to whom the Company had to pay certain sums of money or give presents—in other words, bribes—in order to obtain the Selati contract. The following are the names filed by Baron Eugene Oppenheim:—To W. E. Bok, then member and minute keeper of the Executive Council, on August 12, 1890, in cash £50; the late N. J. Smit, sen., then Vice-President of the South African Republic, and member of the Executive Council, on August 12, 1890, in cash, £500; F. C. Eloff, son-in-law of the President and then Private Secretary to his Honour, on August 12, £50 in cash. By De Jongh and Stegmann, on behalf of Baron Oppenheim, to C. van Boeschoten, then Secretary of the Volksraad, on October 6, 1893, in cash, £100. By B. J. Vorster, jun., one of the concessionaires, on behalf of Eugene Oppenheim, on or about August, 1890, the following: To Jan du Plessis de Beer, member of the Volksraad for Waterberg, £100; Schalk W. Burger, member of the Volksraad for Lydenburg, now member of the Executive Council, £100; P. L. Bezuidenhout, member of the Volksraad for Potchefstroom, £100; J. Van der Merwe, member of the Volksraad for Lydenburg, £100; A. A. Stoop, member of the Volksraad for Wakkerstroom, £50; F. G. H. Wolmarans, member of the Volksraad for Rustenburg, £50; J. M. Malan, member of the Volksraad for Rustenburg, Chairman of the first Volksraad, £50; N. M. S. Prinsloo, member of the Volksraad for Potchefstroom, £50; J. J. Spies, member of the Volksraad for Utrecht, £70; B. H. Klopper, Chairman of the Volksraad, £125; C. van Boeschoten, Secretary of the Volksraad, £180. By J. N. de Jongh, on behalf of Baron Eugene Oppenheim, about the end of 1892 or the beginning of 1893, to the late N. J. Smit, sen., then Vice-President of the South African Republic, and member of the Executive Council, shares in the defendant Company to the value of £1,000; F. C. Eloff, son-in-law of and then Private Secretary to the State President, shares in the defendant Company to the value of £2,000; P. G. Maré, then member of the Volksraad for Utrecht, now Landdrost of Boksburg, shares in the defendant Company to the value of £500. By B. J. Vorster, jun., on behalf of Baron Eugene Oppenheim, about July or August, 1890, to C. C. van Heerden, member of the Volksraad for Wakkerstroom, one spider; A. A. Stoop, member of the Volksraad for Wakkerstroom, one spider; F. G. H. Wolmarans, member of the Volksraad for Rustenburg, one spider; B. W. J. Steenkamp, member of the Volksraad for Piet Retief, one spider; J. P. L. Lombard, member of the Volksraad for Standerton, one spider; H. F. Grobler, member of the Volksraad for Middelburg, one spider; W. L. de la Rey, member of the Volksraad for Bloemhof, one spider; D. W. Taljaard, member of the Volksraad for Standerton, one spider; J. C. van Zyl, member of the Volksraad for Heidelburg, one spider; J. P. Botha, member of the Volksraad for Pretoria, one spider; H. P. Beukes, member of the Volksraad for Marico, one spider; J. F. van Staden, member of the

Volksraad for Vryheid, one spider; J. M. Malan, member of the Volksraad for Rustenburg, one spider; N. M. S. Prinsloo, member of the Volksraad for Potchefstroom, one cart; T. C. Greyling, member of the Volksraad for Heidelberg, one cart. Total value, £1,440.

Twenty-one members of the First Volksraad out of twenty-five! The Vice-President! The son-in-law and Private Secretary of the President! The Secretary of the Volksraad and the Minute Keeper of the Executive!

The Volksraad, one would think, would be bound to take cognizance of such a statement and to cause an investigation to be held. They did take cognizance of it after the manner peculiar to them. But the last thing in the world to be expected from them was an impartial investigation: nothing so foolish was ever contemplated. There were too many in it, and an investigation into the conduct of officials and Raad members would be establishing a most inconvenient precedent. Some members contented themselves with a simple denial, others scorned to take notice of such charges, and others tried to explain them away. No opinion need be expressed upon the methods of the concessionaires; nor does it matter whether the company, by its neglect or default, had justified the act of the Government. The point which is offered for consideration is that the indisputable fact of bribes having been taken wholesale was ignored, whilst the disputed question of liability to cancellation was arbitrarily settled by the Government in its own favour.

The crop of scandals in 1897 was as the rolling snowball. It is unnecessary to refer to them all in detail. The Union Ground, one of the public squares of Johannesburg, was granted to a syndicate of private individuals upon such terms that they were enabled to sell the right, or portion of it, at once for £25,000 in cash. The Minister of Mines, in his official capacity, strongly recommended the transaction, and was afterwards obliged to admit that he himself had an interest in it. The Volksraad however refused to confirm it, and the purchaser of the concession fell back upon the President for protection. The latter advised him to remain quiet until the presidential election, which was about to take place, should be over, and gave the assurance that then he would see that the grant was confirmed by the Raad. In

the session of 1898 his Honour strongly supported the proposal and it was duly carried.

The Eloff location scandal was another which greatly disturbed even the Volksraad. Mr. Frickie Eloff is President Kruger's son-in-law and enjoys the unsavoury reputation of being interested in every swindle which is worth being in in the Transvaal. A piece of ground lying to the north-west of Johannesburg close up to the town had originally been proclaimed as a goldfield, but no reefs having been found there and the ground not having been pegged, it was afterwards withdrawn from proclamation. The Mining Commissioner of Johannesburg in the course of his duties discovered some flaw in the second or withdrawing proclamation. He advised the head office in Pretoria of this discovery and stated that it might be contended that the de-proclamation was invalid, and that great loss and inconvenience would follow if the ground were pegged and the title upheld. Within twenty-four hours the ground was pegged by Mr. Eloff, but it is not known whence he derived the inspiration. His claim was strongly opposed by the local officials. They reported that the ground was known to be of no value, and advised that as the cost of licenses would be very considerable the obvious policy of the Government would be—if the title could not be upset—to wait until Mr. Eloff should tire of paying licenses on valueless ground. The Government, however, decided otherwise: they converted Mr. Eloff's claims into residential stands; that is to say, they made him a present of an immensely valuable piece of property and gave him title under which he could cut it up into small plots and readily sell it. This action of the Government, however, required confirmation by the Raad. The matter came before the Volksraad in due course and that body deliberately revoked the decision of the Government and refused Mr. Eloff any title except what he could claim according to law. But Mr. Kruger is not so easily beaten. He soon discovered that the piece of ground acquired by Mr. Eloff was exactly the piece which it was necessary for the Government to have for a coolie location, and without more ado the Government bought it from Mr. Eloff for £25,000.

The ingenuity of the Boer mind in getting the last possible

fraction of value out of any transaction, is well exemplified in this matter. One would naturally conclude that a deal so profitable would satisfy anybody. But not so! The piece of ground commands the approach to many valuable private plots and residences, and it was soon found that apart from intrinsic worth it might have a blackmailing value; thus towards the end of 1898, after the deal had been completed, the owners of these residences and estates were privately approached with the information that the coolie location, consisting of shelters built of scraps of iron, paraffin tins, and old pieces of wood, was to be removed to this site (probably to facilitate the transference of the present location site, which is also very valuable, to some other favourite), but that if sufficient inducement were offered by landowners in the neighbourhood, the decision would be reconsidered!

The grant of a Municipality to Johannesburg has often been quoted as an example of something done by Mr. Kruger in the interests of the Uitlanders. The principal conditions of that grant are that all burghers of the State, whether they have property or not, shall be entitled to vote for the election of councillors; that each ward shall be represented by two councillors, one of whom must be a burgher; and that the chairman, or burgomaster, shall be appointed by Government and shall have the right of veto. The elections in at least two of the wards are completely at the mercy of the police and of the poor Boers who have no interest whatever in the town. The burghers in Johannesburg—police, Boers, and officials—who may number a couple of thousand, including the naturalized lot, have therefore a permanent and considerable majority over the Uitlanders, who probably number over 40,000 adult white males.

The scope and value of this grant were made manifest when the now notorious sewerage concession came under discussion. The Municipality had upon several occasions endeavoured to get the right to introduce a scheme for the disposal of the sewage of the town, and had applied for authority to raise the necessary funds, but had been refused Suddenly a concession was granted by the Government—they called it a contract—to Mr. Emmanuel Mendelssohn, the proprietor of the *Standard and Diggers News*, the Government

organ in Johannesburg. He said that he got it for nothing—possibly a reward for loyal services; but he also stated that he was not the sole owner. The value of the grant was estimated by the concessionaire himself to be about £1,000,000 sterling, and in the lately published proposals which he made to one of the big firms interested in the Transvaal he indicated how a profit of £100,000 a year could be made out of it. The Town Council unanimously and vigorously protested; but the Government took no notice of their protest. They then decided to apply to the Court for an order restraining the Government from making this grant, on the ground that they had no power to alienate a right which belonged to the town itself. In order to make the application to Court it was necessary, in terms of the constitution of the municipality, to obtain the signature of the Burgomaster. That official as representing the Government refused point blank to authorize the council to dispute the Government's action in a Court of Law, and the council were obliged to apply for an Order of Court compelling the Burgomaster to sign the documents necessary to enable them to contest in the Courts of the country the validity of an act of the Government which was deemed to be infringement upon the rights of the town. In the face of this the President capitulated for the time being; but neither he nor the concessionaire makes any secret of the determination to find a *quid pro quo*.

The year 1898 brought in its turn its full share of fresh encroachments and exactions. The bare enumeration of the concessions, privileges, and contracts, proposed or agreed to, is sufficient to indicate what must be the condition of mind of one whose interests are at stake under such a *régime*. Not all 'concessions,' 'contracts,' and 'protected factories' confer exclusive rights, but many might easily in effect do so and all are infringements upon the rights of the public. Here are some from the official list of 1899;—Dynamite, Railways, Spirits, Iron, Sugar, Wool, Bricks, Earthenware, Paper, Candles, Soap, Calcium Carbide, Oil, Matches, Cocoa, Bottles, Jam, &c.

A large loan had been constantly talked of throughout the year, but no one knew for what purpose it could be required. The Government vouchsafed no information at all but negotiations were carried on both in Pretoria and in Europe,

Month after month went by, but the millions were not forthcoming, and the Government believed or affected to believe that their failure was due to a conspiracy among the capitalists, and in retaliation they directed and subsidised a fierce anti-capitalist campaign in their press. The explanation of failure, which did not occur to them, may have been that investors believed that the course pursued by the Transvaal Government must inevitably lead to conflict with the paramount power, and they had no faith and no assurance that in the event of such a conflict taking place the British Government would take over loans which must have been contracted only for the purposes of war against England.

The juggling with the dynamite question continued throughout the year. The President had successfully defeated the aim of the Volksraad, and the investigation and reports which had been ordered by that body in 1897 to be made by lawyers and auditors, although duly handed in to the Government, were suppressed by the President and not permitted to be shown to the Raad. On the contrary, the astounding proposition was made that in return for a very inconsiderable reduction in the cost of dynamite (half of which was to be made up by the Government sacrificing its share of profits) and a possible further reduction of 5s. per case under certain conditions, the monopoly should be renewed for a period of fifteen years, all breaches in the past to be condoned, and cancellation on the ground of breach of contract in the future to be impossible. This proposal, it was publicly notified, would be laid before the Raad during the first session of 1899. The existence of the dynamite monopoly was at this time costing the industry £600,000 a year, and on every possible occasion it was represented to the Government that, if they really did need further revenue, in no way could it be more easily or more properly raised than by exercising their undoubted right to cancel the monopoly and by imposing a duty of such amount as might be deemed necessary upon imported dynamite. It was also pointed out that the proposed reduction in the cost of dynamite would offer no relief whatever since it was far more than counterbalanced by the taxes upon mynpachts and profits which were then being imposed.

During this year the Volksraad instructed the Government

to enforce their right to collect 2½ per cent. of the gross production from mynpachts (mining leases). All mynpachts titles granted by the Government contained a clause giving the Government this power, so that they were acting strictly within their legal rights; but the right had never before been exercised. For twelve years investors had been allowed to frame their estimates of profit upon a certain basis, and suddenly without a day's warning this tax was sprung upon them. It was indisputably the right of the Government, but equally indisputably was it most unwise; both because of the manner in which it was done and because there was no necessity whatever for the doing of it, as the revenue of the country was already greatly in excess of the legitimate requirements. Immediately following this came a resolution to impose a tax of 5 per cent. upon the profits of all companies working mining ground other than that covered by mynpacht. The same objections applied to this tax with the additional one, that no clause existed in the titles indicating that it could be done and no warning had ever been given that it would be done. The proposal was introduced one morning and adopted at once; the first notice to investors was the accomplished fact. These measures were particularly keenly resented in France and Germany.

The grievance of hasty legislation was in these cases aggravated by the evidence that the taxes were quite unnecessary. President Kruger still fought against cancellation of the Dynamite Monopoly, by which the State revenue would have benefited to the extent of £600,000 a year, if he had accepted the proposal of the Uitlanders, to allow importation of dynamite subject to a duy of £2 per case—a tax which represented the monopolists' profit, and would not therefore have increased the cost of the article to the mines. He still persisted in squandering and misapplying the public funds. He still openly followed the policy of satisfying his burghers at the Uitlanders' expense; but the burghers have a growing appetite, and nothing shows the headlong policy of 'squaring'—nothing better illustrates the Uitlanders' grievance of reckless extravagance in administration—than the list of fixed salaries as it has grown year by year since the goldfields became a factor.

TRANSVAAL FIXED SALARIES.

	£	s.	d.
1886	51,831	3	7
1887	99,083	12	8
1888	164,466	4	10
1889	249,641	10	10
1890	324,520	8	10
1891	332,888	13	9
1892	323,608	0	0
1893	361,275	6	11
1894	419,775	13	10
1895	570,047	12	7
1896	813,029	7	5
1897	996,959	19	11
1898	1,080,382	3	0
1899 (Budget)	1,216,394	5	0

That is to say, the Salary List is now twenty-four times as great as it was when the Uitlanders began to come in in numbers. It amounts to nearly five times as much as the total revenue amounted to then. It is now sufficient if equally distributed to pay £40 per head per annum to the total male Boer population.

The liquor curse has grown to such dimensions and the illicit liquor organization has secured such a firm hold that even the stoutest champions of law and order doubt at times whether it will ever be possible to combat the evil. The facts of the case reflect more unfavourably upon the President than perhaps any other single thing. These are the facts: The law prohibits the sale of liquor to natives; yet from a fifth to a third of the natives on the Rand are habitually drunk. The fault rests with a corrupt and incompetent administration. That administration is in the hands of the President's relations and personal following. The remedy urged by the State Secretary, State Attorney, some members of the Executive, the general public, and the united petition of all the ministers of religion in the country, is to entrust the administration to the State Attorney's department and to maintain the existing law. In the face of this President Kruger has fought hard to have the total prohibition law abolished and has successfully maintained his nepotism—to apply no worse construction! In replying to a deputation of liquor dealers he denounced the existing law as an 'immoral' one, because by restricting the sale of liquor it

deprived a number of honest people of their livelihood—and President Kruger is a total abstainer!

The effect of this liquor trade is indescribable; the loss in money although enormous is a minor consideration compared with the crimes committed and the accidents in the mines traceable to it; and the effect upon the native character is simply appalling.

Much could be said about this native question apart from the subject of drink, for it is one which is very difficult of just appreciation by any but those who have had considerable experience of and personal contact with the natives. It is one upon which there is a great divergence of views between the people of Europe and the people of South Africa. South Africans believe that they view it from the rational standpoint, they believe also that Europeans as a rule view it more from the sentimental. The people who form their opinions from the writings and reports of missionaries only, or who have in their mind's eye the picturesque savage in his war apparel as seen at Earl's Court, or the idealized native of the novelist, cannot possibly understand the real native. The writer holds South African views upon the native question, that is to say that the natives are to all intents and purposes a race of children, and should be treated as such, with strict justice and absolute fidelity to promise, whether it be of punishment or reward: a simple consistent policy which the native mind can grasp and will consequently respect.

With this in mind it will, perhaps, be believed that the recital of certain instances of injustice is not made with the object of appealing to sentimentalism, or of obliquely influencing opinions which might otherwise be unfavourable or indifferent. The cases quoted in this volume are those which have been decided by the courts, or the evidence in support of them is given, and they are presented because they are typical cases, and not, except in the matter of public exposure, isolated ones. The report of the case of Toeremetsjani, the native chieftainess,[1] is taken verbatim from one of the newspapers of the time. The woman is the head of the Secocoeni tribe, whose successful resistance to the Transvaal Government was one of the alleged causes

[1] See Appendix. K.

of the annexation. A good deal could be said about the ways of Native Commissioners in such matters. Much also could be said about the case of the British Indians and the effect upon the population of India which is produced by the coming and going of thousands of these annually between India and the Transvaal, and their recital of the treatment to which they are subjected, their tales of appeals to the great British Government, and their account of the latter's inability to protect them. Much also could be said of the Cape Boy question, but sufficient prominence has been given to these matters by the publication of the official documents and the report of the inquiry into Field-Cornet Lombaard's conduct, which was held at the instance of the British Government.

It is not suggested that if the Government in the Transvaal were influenced by the vote of the white British subjects, or if it were entirely dominated by such vote, any encouragement would be given to the Indian hawkers and traders, or that there would be any disposition whatever to give voting rights to coloured people of any kind, but it *is* suggested that a more enlightened and a more just system of treatment would be adopted; and in any case it is to be presumed that there would be no appeals to the British Government, involving exhibitions of impotency on the part of the Empire to protect its subjects, followed by the deliberate repetition of treatment which might become the subject of remonstrance. The untutored mind is not given to subtleties and sophistries; direct cause and effect are as much as it can grasp. These it does grasp and firmly hold, and the simple inferences are not to be removed by any amount of argument or explanation, however plausible. There is scarcely an Uitlander in the Transvaal who would not view with dismay the raising of the big question upon such grounds as the treatment of the natives, the Cape boys, or the Indians; and the fact that the Transvaal Government know this may account for much of the provocation on these questions. It is nevertheless undeniable that white British subjects in the Transvaal do suffer fresh humiliation and are substantially lowered in the eyes of the coloured races, because appeals are made on their behalf to the British Government, and those appeals are

useless. The condition of affairs should be that such appeals would be unnecessary, and would therefore become — in practice—impossible. Such a condition of affairs would obtain under a friendly and more enlightened government, and the only security for the voluntary continuance of such conditions is the enfranchisement of the Uitlander population.

In the midst of all that was gloomy unfavourable and unpromising there came to the Uitlanders one bright ray of sunshine. Dr. Leyds who had been re-elected State Secretary on the understanding that he would resign immediately in order to take up the post of plenipotentiary in Europe, and whom the Boers with a growing anti-Hollander and pro-Afrikander feeling would no longer tolerate, relinquished his office. In his stead was appointed Mr. F. W. Reitz formerly President of the Free State, a kindly, honourable, and cultured gentleman, whose individual sympathies were naturally and strongly progressive but who, unfortunately, has not proved himself to be sufficiently strong to cope with President Kruger or to rise above division upon race lines in critical times. Shortly afterwards Mr. Christiaan Joubert, the Minister of Mines, a man totally unfit from any point of view to hold any office of responsibility or dignity, was compelled by resolution of the Second Volksraad to hand in his resignation. His place was filled by a Hollander official in the Mining Department who commanded and still commands the confidence and respect of all parties. The elevation of the Acting State Attorney to the Bench left yet another highly responsible post open and the Government choice fell upon Mr. J. C. Smuts, an able and conscientious young barrister, and an earnest worker for reform. An Afrikander by birth and educated in the Cape Colony, he had taken his higher degrees with great distinction at Cambridge and had been called to the English Bar.

But there came at the same time another appointment which was not so favourably viewed. There was still another vacancy on the Bench, and it became known that, in accordance with the recommendation expressed by the Raad that all appointments should whenever possible be first offered to sons of the soil, *i.e.*, born Transvaalers, it was intended to appoint to this judgeship a young man of twenty-

four years of age lately called to the bar, the son of the Executive Member Kock already referred to in this volume. The strongest objection was made to this proposal by all parties, including the friends of the Government; the most prominent of all objectors were some of the leading members of the bar who, it was believed, carried influence and were in sympathy with the Government. A delay took place and it was at one time believed that President Kruger had abandoned his intention, but it is understood that pressure was brought to bear upon the President by a considerable party of his followers, and in the course of a few days the appointment was duly gazetted.

The selection of educated and intelligent Afrikanders, sincerely desirous of purifying the administration, for such responsible offices as those of State Secretary and State Attorney, was gratefully welcomed by the Uitlander community, who believed that only through the influence of such men consistently and determinedly exerted could a peaceful solution of many difficult questions be found. It is but bare justice to these gentlemen to state that never were they found wanting in good intention or honest endeavour, ready at all times to inquire into subjects of complaint, anxious at all times to redress any legitimate grievances. To them and to many other less prominent but no less worthy officials of the Transvaal Civil Service, whom it is impossible to name and to whom it might prove to be no good turn if they were named, is due an expression of regret that they may perhaps suffer by references which are not directed against them but which are justified by a rotten system and are called for by the action of others over whom these men have no control. Nobody but one intimately concerned in Transvaal affairs can appreciate the unpleasant and undeserved lot of the honest official who necessarily, but most unjustly, suffers by association with those who deserve all that can be said against them.

It is very well known that the gentlemen above referred to would, if it were in their power, readily accord the terms asked for in the franchise memorandum recently submitted by the Uitlanders, but they are unfortunately entirely without influence over the President and his party. It is

true that—although British subjects by birth—they have chosen to associate themselves with the Transvaal Government and are now uncompromising republicans; but there is no fault to be found with that. It may be true also that they aspire to republicanize the whole of South Africa, and free it of the Imperial influence; that would be a cause of enmity as between them and those who desire to preserve the Imperial connection, but it is no ground for reproach. There is one point, however, upon which they in common with nearly all the enlightened Afrikanders throughout South Africa may be adjudged to have fallen short in their duty; it is this, that whilst nine times out of ten they divide upon sound principles they will not follow that policy to a conclusion; for upon the tenth occasion they will subordinate principle and, at the call of one who may use it unscrupulously, will rally upon race lines alone. It is only too true of only too many that they cannot be got to see that if they would really divide upon principles all danger of conflict would disappear and the solution would be both speedy and peaceful; for it is the division upon race lines that alone raises the distracting prospect of war.

For those who are in this position in the Transvaal it may be allowed that their difficulties are great. They cannot, it is true, complain of lack of warning. They did not, it is also true, after trying their influence and finding it of no avail, cut adrift when they might have done so, and by their example have so stripped the reactionaries of all support that there could now be no question of their standing out; but they may have honestly believed that they would in time succeed, whilst the Uitlanders, judging from a long and bitter experience, felt that they would not and could not. They may say that this is no time to part from those with whom they associated themselves in times of peace. Such reasoning may provide an excuse in the Transvaal, but no such plea will avail for those without the Transvaal who have let the day of opportunity go past, and who cry out their frightened protest now that the night of disaster is upon us.

CHAPTER XI.

THE BEGINNING OF THE END.

So the year dragged on with its one little glimmer of light and its big black clouds of disappointment, and it was Christmas-time when the spark came to the waiting tinder. What a bloody bill could the holidays and holy days of the world tot up! On the Sunday night before Christmas a British subject named Tom Jackson Edgar was shot dead in his own house by a Boer policeman. Edgar, who was a man of singularly fine physique and both able and accustomed to take care of himself, was returning home at about midnight when one of three men standing by, who as it afterwards transpired was both ill and intoxicated, made an offensive remark. Edgar resented it with a blow which dropped the other insensible to the ground. The man's friends called for the police and Edgar, meanwhile, entered his own house a few yards off. There was no attempt at concealment or escape; Edgar was an old resident and perfectly well known. Four policemen came, who in any circumstances were surely sufficient to capture him. Moreover, if that had been considered difficult, other assistance could have been obtained and the house from which there could have been no escape might have been watched. In any case Edgar was admitted by the police to have sat on the bed talking to his wife, and to have been thus watched by them through the window. It is not stated that they called upon him to come out or surrender himself, but they proceeded

immediately to burst in his door. Hearing the noise he came out into the passage. He may or may not have known that they were police: he may or may not have believed them to be the three men by one of whom he had been insulted. A Boer policeman named Jones (there are scores of Boers unable to speak a word of English, who nevertheless own very characteristic English, Scotch, and Irish names—many of them being children of deserters from the British army!) revolver in hand burst the door open. It is alleged by the prisoner and one of the police that as the door was burst open, Edgar from the passage struck the constable on the head twice with an iron-shod stick which was afterwards produced in Court. On the other hand, Mrs. Edgar and other independent witnesses — spectators — testified that Edgar did not strike a blow at all, and could not possibly have done so in the time. The fact, however, upon which all witnesses agree is that as the police burst open the door Constable Jones fired at Edgar and dropped him dead in the arms of his wife, who was standing in the passage a foot or so behind him. On the following morning, the policeman was formally arrested on the charge of manslaughter and immediately released upon his comrades' sureties of £200.

As gunpowder answers to the spark so the indignation of the Uitlander community broke out. The State Attorney to whom the facts were represented by the British Agent in Pretoria immediately ordered the re-arrest of the policeman on the charge of murder. The feeling of indignation was such among British subjects generally, but more especially among Edgar's fellow-workmen, that it was decided to present a petition to her Majesty praying for protection. British subjects were invited to gather in the Market Square in order to proceed in a body to the office of the British Vice-Consul and there present the petition, but in order to avoid any breach of the Public Meetings Act they were requested to avoid speech making and to refrain in every way from any provocation to disorder. Some four or five thousand persons gathered together. They listened to the reading of the petition and marched in an orderly manner

to the office of the British Vice-Consul where the petition was read and accepted.

This was the first direct appeal to her Majesty made by British subjects since the protests against the retrocession eighteen years before. Not very many realized at the time the importance of the change in procedure. There could be no "As you were" after the direct appeal: either it would be accepted, in which event the case of the Uitlanders would be in the hands of an advocate more powerful than they had ever proved themselves to be, or it would be declined, a course which would have been regarded as sounding the death-knell of the Empire in South Africa. The time was one of the most intense anxiety; for the future of the Uitlanders hung upon the turn of the scale.

It was late one night when those who had been called to Pretoria to receive the reply of her Majesty's Government returned to the Rand. The real reply then was known only to three men; it was simply, point blank refusal to accept the petition. There were no reasons and no explanations. It was done on the authority of Sir William Butler, the Commander-in-Chief in South Africa and acting High Commissioner; for Sir Alfred Milner was at that time in England, as also was Mr. Conyngham Greene. But the faith was in these men that it could not be true, that it could not have happened had Sir Alfred Milner not been absent, and thus came the suggestion to 'explain it away.' On the following day British subjects on the Rand learned that a breach of diplomatic etiquette had been committed, that the petition should never have been published before being formally presented to her Majesty, and that thus it would be necessary to prepare and present another in proper form. The petition was redrawn and in the course of the following weeks upwards of 21,000 signatures were obtained by that loyal and enthusiastic little band of British subjects who form the Johannesburg branch of the South African League.

In the meantime other things had been happening. Messrs. Thomas R. Dodd and Clement Davies Webb had been arrested under the Public Meetings Act for having organized an illegal meeting in the Market Square, Johannesburg, for the purpose of presenting the petition to the British

Vice-Consul. They were released upon bail of £1,000 each. Whether this was a fair example of the judicial perspective in the Transvaal, or whether it was a concession to the feelings of the Boers it is impossible to say, nor does it much matter. The fact is that for the crime of killing a British subject the bail was £200; and for the crime of objecting to it the bail was £1,000. This action only added fuel to the fire and a public meeting was immediately convened to be held in a circus building known as the Amphitheatre. Meetings are permitted under the Act provided they are held in an enclosed building. The object of the meeting was to record a protest against the arrest of Messrs. Dodd and Webb. A great many of the more ardent among the British subjects were of opinion that the time for protests and petitions was past, and they would not attend the meeting. A great many others feeling that it was more or less a formality leading to nothing else, did not trouble to attend. Not one of those who did attend had the least suspicion of any organized opposition. The following dispatch from the High Commissioner to the Secretary of State for the Colonies sufficiently describes the sequel:—

GOVERNMENT HOUSE, CAPE TOWN,
April 5, 1899.

SIR,—I have the honour to forward herewith the certified and attested copies of affidavits which form an enclosure to Mr. Wyberg's letter, transmitted to you in my dispatch of the 28th March, but which did not reach me in time to catch the last mail steamer.

From these affidavits, the number of which and the manner in which they confirm one another seem to me to leave no doubt of their general trustworthiness, it appears:

1. That early on the morning of Saturday, the 14th January, the foremen in charge of the various camps along the Main Reef Road were instructed to tell a certain number of their workmen to be at the Amphitheatre in Johannesburg at 2 p.m., where they would be addressed by an official of the Public Works Department, Mr. P. J. Malan (Hoofd van Afdeeling Wegen).

2. That the affair had been planned beforehand, and that Acting Road Inspector Papenfus and others systematically visited the various camps on that morning in order to beat up recruits, and that inquiry was made in some cases to ensure that the persons sent should be 'treu,' *i.e.*, Boer or Afrikander workmen who might be expected to take the side of the Government. The Russian workmen were not asked to go.

3. That the men were paid two hours earlier than usual, and that those men who were ordered to go were told, if they could not get Government carts, they should hire and recover afterwards.

4. That in some cases, as that of the Boksburg section, the men were conveyed the greater part of the way by Government carts.

5. That when the men arrived at the Amphitheatre, about 2 p.m., a man who was either Mr. Bosman, Second Landdrost's Clerk, or Mr. Boshof, Registrar of the Second Criminal Court, and perhaps both of them, told them to go to the Police Station.

6. That on arriving at the Police Station, they were addressed by Mr. Broeksma, Third Public Prosecutor, and told they were there to break up the meeting when he gave them certain signals.

7. That they then went into the Amphitheatre, and that there were present, besides Mr. Broeksma, Mr. Papenfus, Mr. Jacobs, Special Road Inspector, Mr. de Villiers, Second Public Prosecutor, and Mr. Burgers, also an official, as well as several prominent members of the Town and Special Police in plain clothes.

8. That the different sections of the Road party men were placed in various parts of the building, under their respective foremen, and that several Government officials assisted in locating them.

9. That a number of the men did not understand what they were there for.

10. That the proceedings on the part of the promoters of the meeting, which, as you are aware, had been sanctioned by the Government, were perfectly regular.

11. That on the first appearance of the promoters of the meeting there was a concerted disturbance, which rendered it totally impossible to go on with the proceedings.

12. That in the riot which followed several people were seriously injured, the sufferers in every case being *bonâ fide* sympathizers with the object of the meeting, and the aggressors being persons who had come there with the object of breaking it up.

13. That the Police did not make the smallest effort to check the disturbances though it would have been easy to do so, and that, when appealed to, they maintained an attitude of indifference.

14. That Broeskma, Third Public Prosecutor, and Lieutenant Murphy, of the Morality Police, actually assisted in breaking chairs, and encouraged the rioters.

I have, &c.,
A. MILNER,
Governor and High Commissioner.

With affairs of this kind stirring up race hatred and feeling among the class from whom the juries have to be selected, what chance was there of securing an impartial trial of the policeman charged with the murder of Edgar? The Acting British Agent Mr. Edmund Fraser in his dispatch of December 23 tells what he thought of the prospect before these affairs took place. 'As to the ultimate charge to be brought against the policeman, the State Attorney was doubtful whether the charge had not better be one of culpable homicide, for the reason that in the presence of a Boer jury his counsel would have a much easier task in getting him off under a charge of murder than for culpable homicide. But

the chances of a Boer jury convicting him at all are so small that I said I should not assent to either charge until I had seen what rebutting evidence the Public Prosecutor brought.'

But this was not all. Immediately after the murder of Edgar, Mr. J. S. Dunn the editor of the *Critic* newspaper, recited the facts of the case as they were known to him and passed some severe strictures upon Dr. Krause, the First Public Prosecutor, who was responsible for determining the charge against policeman Jones and fixing his bail in the first instance. The steps now taken by Dr. Krause no doubt were within his legal rights, but they do not appear to a layman calculated to ensure justice being done. Before proceeding with the murder trial Dr. Krause took criminal action against Mr. Dunn for libel, and in order to prove the libel he, whose duty it was to prosecute Jones for murder, entered the witness-box and swore that under the circumstances as known to him he did not consider that Jones had been guilty of murder, and had therefore faithfully performed his duty in charging him with the minor offence and releasing him on bail. Further, he called upon the Second Public Prosecutor to testify in a similar strain; and finally he directly and deliberately associated with himself as witness on his side the man Jones himself who was charged with the murder. All this ostensibly to prove a paltry libel which could have been dealt with quite as effectively and infinitely more properly after the trial for murder had taken place; indeed it is incontestable that the verdict in the murder trial should properly have been relied upon to a large extent to determine the gravity of Mr. Dunn's offence. It had appeared to the British population that the chance of an impartial trial, with the jury drawn exclusively from the burgher class, was sufficiently remote without any proceedings so ill considered as these. The result fulfilled anticipations. In due course the constable Jones was indicted for culpable homicide and acquitted; and the presiding judge (Mr. Kock, who as already described had claimed a judgeship as a 'son of the soil') when discharging the prisoner said, 'With that verdict I concur and I hope that the police under difficult circumstances will always know how to do their duty.'

After the preliminary examination of Jones the Acting British Agent had written to the Acting High Commissioner (December 30, 1898): 'I will only remark that the enclosed report . . . seems to show that the Public Prosecutor (Krause), who has been deeply offended by the slur cast upon his judgment through the orders from Pretoria to keep the accused in prison instead of out on bail, was more inclined to defend than to prosecute and showed an extraordinary desire to incriminate either the British Vice-Consul or the South African League for what he termed contempt of court in connection with the publication of certain affidavits in the *Star*.'

That was indeed the position. In this as in the Cape Boys case (the Lombaard inquiry) the aim of the prosecution appeared to be to prove that the British Vice-Consul had investigated and reported cases of injustice suffered by British subjects; and the establishment of such proof seemed to be considered a sufficient and triumphant answer to the original complaint. Such action drew the following spirited protest from Mr. Emrys Evans to the British Agent: 'He (Krause) seems generally to suppose that I have no right to do anything in the way of assisting British subjects, and that my action as Vice-Consul is nothing more nor less than officious meddling.' That well describes the position of Great Britain's representative in the Transvaal, and it has been the same for so many years that among the Uitlanders it creates no feeling of surprise; but imagine the representative of—let us say—the United States being so treated!

While these matters were proceeding an opportunity occurred to raise fresh funds for the Uitlander Education Council. The scheme had been perilously near collapse on several occasions, but by a little generous and timely help actual abandonment had been averted. The possibility of a return of better times had been foreseen by some of those interested in education, and the appeals which were made in the months of February and March resulted in raising a fund of over £100,000. The companies were also applied to for assistance in the form of annual grants for maintenance; and guarantees were given amounting in all to about £16,000 a year. A final effort was made by the Government party and

the allies of Dr. Mansvelt, the Superintendent of Education, to show that the Government had made ample provision for the education of English-speaking children, and that the Uitlanders' scheme was unnecessary. Even Mr. Reitz, the State Secretary, it is to be regretted, undertook a public defence of the system which he has frequently expressed his disapproval of; but the more favourable construction which he endeavoured to place upon the law was immediately removed by a plain statement from the President to the exact contrary effect.

The Uitlanders consider that, if the intentions of the Government were as good as they desire them to be thought, firstly, they should not object to have the conditions permanently established and not leave them liable to alteration at the sweet will of the Superintendent, as they are to-day; and secondly, as there has been nothing to hinder the carrying out of benevolent intentions—had they existed—there is no reason why there should be five or six thousand Uitlander children without any facilities for education in their own language except such as are provided by private enterprise or charity. And this is so; notwithstanding the expenditure by the State of nearly a quarter of a million per annum, ostensibly upon education, nine-tenths of which sum is contributed by the Uitlander population.

The spirit in which the State aid is given and the aim which the Government have in view are entirely revealed in the conditions, a brief reference to which will be sufficient.

The Government capitation grant of £4 per annum may be earned on the conditions:—

(*a*) That the child be over six years of age.
(*b*) That it shall have a sufficient knowledge of the Dutch language and South African history.
(*c*) That it be not the child of Dutch or Hollander parents.
(*d*) That a qua'ified Dutch teacher must be retained by the school.

The first condition excludes all the children of the kindergarten schools, and also a class who form a considerable percentage in the elementary schools. The third condition excludes all those who have in early years any chance of satisfying the inspectors under the second condition. Obviously

the amount earned by the few who would satisfy all the conditions could not possibly pay for the salary of a Dutch teacher. It was an actual experience in several schools that the acceptance of State aid involved a direct loss; a good example of the 'something for nothing' policy.

English is permitted to be the medium of instruction in Government schools on the conditions, among others—

> That Dutch be taught for one hour a day during the first year, two hours a day during the second year, three hours a day during the third year; and that in the fourth year Dutch shall become the sole medium of instruction.

The characteristic trickery and cunning which mark so many of the Boer-Hollander enactments are again apparent here. The proposal is made to appear reasonable, but it is clearly impossible for a child to attain within the time named such proficiency in a foreign language as to be able to receive all instruction in it. The effect and the design are to place English-speaking children at a grave disadvantage compared with Dutch-speaking children; either they would have to devote a great deal more time to the study of Dutch in the first three years so as to be able to receive all instruction in that tongue, or they would suffer in the higher standards through their imperfect knowledge of the medium of instruction. It was not to be supposed that the Uitlanders, after an experience extending over a decade and a half of all sorts of promises, not one of which had been kept in the spirit in which it was intended to be construed, would consent to abandon their scheme at the behest of Dr. Mansvelt and the misguided few who judged his proposals by appearances. President Kruger speaking at Rustenburg as lately as March last laid particular emphasis upon the stipulation in the Law that in the fourth year Dutch should be the sole medium of instruction, and explained that his determination was to make Dutch the dominant language.

In the month of February the Transvaal Government received a dispatch from her Majesty's Government with reference to the dynamite concession. It referred to the announcement already recorded, that in the course of the coming session of the Raad a proposal would be submitted

for the extension of the monopoly for fifteen years. Mr. Chamberlain pointed out that her Majesty's Government were advised that the dynamite monopoly in its present form constitutes a breach of the Convention; he expressed the hope that the Transvaal Government might see its way voluntarily either to cancel the monopoly or to so amend it as to make it in the true sense a State monopoly operating for the benefit of the State; and he suggested that in any case no attempt should be made to extend the present concession, as such a proposal would compel her Majesty's Government to take steps which they had hitherto abstained from taking in the hope and belief that the Transvaal Government would itself deal satisfactorily with the matter. It was with this despatch, so to say in his pocket, that the President introduced and endeavoured to force through the Raad the proposal to grant a fifteen years' extension of the monopoly.

That representations had been made by the British Government on the subject of the dynamite monopoly, had been known for some time before the Peace Negotiations (as they have been called) between the Government and the Capitalists were proposed. On February 27 [1] Mr. Edouard

[1] It is stated that President Kruger, ever since the signing of the London Convention on Majuba Day—February 27—1884, has believed in certain lucky days, and has a kind of superstitious regard for anniversaries. If that be so, the incidence of events has given him something to ponder over during the last three years. Three notable schemes conceived by himself and carefully designed to strengthen his position, have by a curious coincidence matured upon dates of certain interest in Transvaal history. All three have failed disastrously. The first anniversary of the Reformers' sentence day was the occasion of the Reformers giving evidence before the Industrial Commission, which so strongly justified their case. The Peace Negotiations with the Capitalists were opened by Mr. Lippert upon the anniversary of Majuba. The Bloemfontein Conference was opened upon the Reformers' emancipation day, the expiry of the three years' silence. That his Honour really attaches importance to these things was shown when over two hundred ministers representing the Dutch Reformed Church in the Transvaal met in Pretoria to urge upon him the suppression of the Illicit Liquor trade. In all innocence they had chosen May 24 on which to present their address. Their astonishment was great when Mr. Kruger, passing lightly by the liquor question, gave the assembled pastors a thorough wigging for finding fault with his administration at all, but chiefly for their unpatriotic conduct in selecting the Queen's birthday of all days on which to expose internal differences in their country.

Lippert, the original dynamite concessionaire, who it was known would receive the further sum of £150,000 if the monopoly remained uncancelled for five years, opened negotiations on behalf of the Government with certain representatives of the capitalist groups on the Rand; and it was immediately seen that the main—one might almost say sole—object of the negotiations was to safeguard the dynamite monopoly. The Government had, in fact, been placed in a very awkward position. One of the excuses for not expropriating the monopoly had been that the State had not been successful in raising a loan. In order to deal with this objection the Chamber of Mines had, in the month of February, 1899, made an offer, guaranteed by all the principal firms on the Rand, to provide the sum of £600,000 to compensate the monopolists for their actual expenditure up to date upon buildings, plant, machinery, &c., so that there should be no semblance of injustice in the treatment meted out to them. The conditions of the offer were that the dynamite monopoly should be cancelled and importation of explosives permitted under an import duty which would give the State a very large revenue at once and which in the course of a few years would provide a sinking fund sufficient to extinguish the loan of £600,000. The offer was so favourable to the State that it placed the Government in a quandary.[1] The attitude of the Volksraad, too, was distinctly hostile to the dynamite monopoly; and on top of all came the representations of the Imperial Government upon the subject. It became necessary to do something to save the threatened 'cornerstone'; hence the Peace negotiations between the Government and the capitalists.

This was another and one of the clearest examples of the 'something for nothing' policy, for it will be observed that of all the things mentioned dynamite alone was the matter to be definitely settled—and that to the satisfaction of Mr.

[1] In addressing a meeting of burghers in Heidelburg three months later the President showed to what lengths he was prepared to go in defending the monopoly when in reply to a question he denied that any such offer had been received '*by the Executive.*' The explanation, which he did not give, is that the *Government, i.e.,* the President and State Secretary, had received it—and withheld it from the Executive!

Kruger. Long years of experience had taught the Uitlanders to examine any proposals coming from the Government with the utmost care; and the representatives of the mining industry were soon of one mind in regarding these negotiations as nothing but a trap.

Of the five men who represented the Government, viz., the President, the State Secretary (Mr. Reitz), the State Attorney (Mr. Smuts), the Foreign Plenipotentiary (Dr. Leyds), and the 'disinterested intermediary,' Mr. Lippert, it was easy enough to account for three. The President had frequently pledged himself to maintain the monopoly, and always referred to it as the corner-stone of the independence. Dr. Leyds had chosen to associate himself with the defence of the concessionaires upon all occasions, and had even gone so far, as evidence given at the Industrial Commission showed, as to misrepresent the facts in their defence. The difficulty was how to explain the association of the State Attorney and State Secretary, in whose good intentions and integrity there was a general belief. The solution was to be found in the illusory promises of reform under the heading of franchise and reorganization of the finances and other matters. These proposals, it was believed by Mr. Kruger and his party, would secure the support of the two above-named officials, as well as entice the capitalists into the trap set for them. But there were other points of advantage for Mr. Kruger. The whole scheme was in accordance with the *divide et impera* policy. The first impression, if the scheme were accepted, would be that the capitalists had secured something for themselves by bartering away the rights of the public; so there would have been a division in Johannesburg. Another effect to be brought about by the proposed action regarding the Indians would have been to divide the Uitlanders from the Imperial Government, and the net result of it all would have been that neither the public nor the capitalists would have got anything but illusory promises and Mr. Kruger would have secured his dynamite; for had he been able to extract from the Industry an expression of approval or acquiescence, it would have given him his majority in the Volksraad in favour of the monopoly.

The following is the correspondence which passed:—

JOHANNESBURG, S.A.R.,
27th March, 1899.

To the Honourable the State Secretary,
Pretoria.

HONOURABLE SIR,

Before communicating to you and the representatives of the Government whom we met the expression of our opinion and that of our London friends on the proposals submitted to us by Mr. Lippert on behalf of the Government of the S.A.R., we deem it advisable to recite shortly how we have arrived at the present position.

On the 27th of February Mr. E. Lippert called together Messrs. A. Brakhan, E. Birkenruth, and G. Rouliot, to whom he submitted a certain programme concerning the settlement of some pending questions forming the subject of grave differences between the Government of the S.A.R., on the one part, and the whole Uitlander population and the mining industry on the other part, with a view to ascertain whether these gentlemen were willing to open negotiations on the basis suggested, in order to try to come to a settlement. Upon the affirmative answer of these gentlemen, Mr. Lippert obtained an equal expression of approval from Dr. Leyds, the State Secretary, the State Attorney, and also of President Kruger. The preliminary programme at Mr. Lippert's request was then communicated by cable to our London friends. Upon receipt of a reply to the effect that our London friends were in favour of any arrangement which would produce harmony and secure administrative and financial reform, which was communicated to Mr. E. Lippert, a meeting was arranged with Dr. Leyds, Messrs. Reitz, Smuts, and Lippert, as representing the Government, on the 9th of March; but as Messrs. Brakhan, Birkenruth, and Rouliot had repeatedly mentioned that they did not consider themselves qualified to discuss matters on behalf of the general body of Uitlanders, and seeing that the programme submitted was to be considered as a whole, and either adopted or rejected as such, therefore it would be necessary to obtain the views, on the franchise question, of prominent citizens more able to express the wishes of Uitlanders on this subject; Mr. Lippert, on behalf of the Government, invited in addition Messrs. Pierce and Pistorious to be present at the meeting.

At this meeting several points were discussed, but as no definite proposal regarding franchise could be submitted, no decision was arrived at, it being made clear, however, that this was only a preliminary conversation with the object of exchanging views, and that in any case the opinion of the Uitlander population, and also that of our friends in Europe, would have to be fully ascertained.

On the 12th instant, at the request of Mr. Lippert, Messrs. Brakhan, Birkenruth, Rouliot, Pierce, Pistorious and Fitzpatrick met, and Mr. Lippert communicated to us the definite proposals of the S.A.R. Government, which were duly cabled the same day to our friends, requesting a reply before the end of the week, as the Government would have to submit the whole matter to the Raad, and we were requested to sign an agreement with the Government, and a declaration binding on ourselves and our London friends.

Their answer, suggesting a further conference with Dr. Leyds in London, was duly communicated to his Honour the State President. His Honour's reply, stating that the exchange of views had better take place here, was communicated to our European friends.

Now they have cabled us a full *précis* of the proceedings and resolu-

tions passed at the meeting held in London on the 16th instant, and the following is therefore the expression of our opinion as well as that of our European friends, upon the subjects which have already been discussed between the representatives of the S.A.R. Government, and ourselves.

It having been stipulated by the Government that the various matters herein dealt with shall be taken as parts of one whole plan, we have bowed to that decision, and we beg now to reply under the various heads on the understanding that no one portion may be judged as apart from the whole.

BEWAARPLAATSEN.

In furtherance of the general settlement, those of us directly concerned in the mining industry would be prepared to recommend a modification of the claims of the surface holder and a final settlement of the question on the lines suggested as preferable to the continued uncertainty, on the understanding that the basis for valuation should be arrived at by fixing, after consultation, a maximum price upon the best situated bewaarplaatsen or water-right, and that the price of all other mining rights under bewaarplaatsen, machine stands or water-rights be valued by competent engineers on the basis and in relation to the above maximum value, taking into consideration the comparative value of the outcrop claims and the diminishing value in depth; the surface holder having the preferent right to acquire the undermining rights at the price thus arrived at.

FINANCIER AND AUDITOR.

The appointment of a suitable man with efficient control and assured status would undoubtedly meet one of the most serious of the grievances, and would be universally accepted as satisfactory. The financier, in order to enjoy the confidence of all concerned, and with a view to avoid as far as possible ulterior discussion of his recommendations, should be approved of by some person belonging to a firm of well-known independent standing, such as Lord Rothschild, for instance. The financier to be a member of the Executive Council, and to formulate and approve every scheme of taxation should further or other taxation become necessary.

LOAN.

Any loan offered at reasonable rates and approved by the Finance Minister for the common good would undoubtedly receive our support; we understanding, on the other hand, that no new taxation will be imposed on the general population or the mining industry pending the appointment of the financier.

PRESS AGITATION.

There having been, as far as we know, no organized press agitation, it is impossible for us to deal with this matter, but it is clear that the criticism which has been provoked by a certain condition of affairs here would necessarily cease upon the causes of complaint being removed, and we would be prepared, in case of our coming to a settlement with the Government, to declare that the solution of the questions arrived at meets with our approval as a whole, so as to discourage further agitation in newspapers on these subjects.

POLITICAL ORGANIZATIONS.

We shall at all times be willing to publicly discourage and repudiate any political organization having for its object the stirring up of strife or promoting dissension between the different nationalities inhabiting this State, and we would and will in any case do this freely and upon principle, and entirely apart from other considerations connected with this Conference, but it should be clearly understood that this declaration must not be construed as repudiating or deprecating any legitimate representations which the community or any section of them may see fit to make in matters which concern them as inhabitants of this State.

COOLIE QUESTION.

We well appreciate the dangers of uncontrolled, indiscriminate immigration of the lower class Indians, Chinese, and other coloured races, and the necessity for provision for sanitary control, and shall be most willing to aid the Government in the above objects; but we consider it impossible for us to intervene in this matter, which is governed by the London Convention with the British Government. We suggest that for the purpose of guarding against the dangers above referred to, this matter be explained to the Imperial Government as part of the whole scheme for the settlement of differences, and claim therefore an especially favourable consideration, for, in the success of this scheme, all who desire peace and prosperity in this country must be deeply concerned and willing to co-operate on generous lines. We suggest that this representation be made in such manner as may be deemed less calculated to provoke unfavourable comment, or offend susceptibilities in any quarter, and that the suggestion be viewed by all parties in its true proportions as one part of the whole scheme of settlement. Unless so viewed we should be unable to put ourselves forward in a matter at issue between the two Governments, nor of course could the proposals of the Government be taken to suggest this.

DYNAMITE.

With the principle of granting a monopoly to individuals, agencies, or corporations it is impossible for us to agree, and whatever arrangement be effected, we should have to make it clear that in this instance we are viewing the question solely as a burden—a tax which the mines are asked to definitely accept in order that an amelioration of the general conditions affecting the whole Uitlander population may be secured.

The difference between the cost at which dynamite could be imported (exclusive of Transvaal duty) and the price we are now compelled to pay amounts to over £600,000 per annum on the present rate of consumption, a sum which will increase steadily and largely in the immediate future.

Whether the mining industry should voluntarily accept such an immense burden as a set-off against terms which, whilst they would doubtless eventually favourably affect the industry, are in their immediate effects designed to satisfy the Uitlander population in their personal rights as distinct from the mining industry as a business, is a matter which would in the first place have to be submitted to the recognized elected representatives of the mining industry, and would in the second place depend upon whether the people in whose interest such sacrifice is required would accept the terms which the Government would be willing to concede as satisfying their reasonable aspirations.

It is also a matter of grave and general concern that a sum so enormous, when compared with the revenue requirements of the State, should be taken annually from the mines with little, if any, benefit to the country, when it might be utilized in part or entirely in supplementing the State revenue, and thus afford relief in other directions to every taxpayer in the country.

Notwithstanding the above considerations, however, we feel that a great monetary sacrifice might be made to secure a peaceful and permanent solution of vexed questions, and that the subject of dynamite should be submitted to the Chamber of Mines and discussed in that spirit.

Whilst we are willing, in order to bring about a general settlement of all pending questions, to recommend such a heavy sacrifice to be made, and adopt the proposal made by the Government, it would be a condition that there shall not be any extension of the concession, and that the terms of the contract shall be rigidly enforced ; that the Dynamite Company shall reduce the price of dynamite to 70s. per case, giving to the Government the 5s. per case and the share of the profits to which it is entitled ; and that at the end of the present agency the factory shall be taken over at a valuation which shall not include compensation for goodwill or for loss of future business.

FRANCHISE.

This is the vital point upon which a permanent and peaceful settlement must hinge, and if a satisfactory solution can be arrived at on this point, as well as on the others raised, we shall be prepared to recommend to the Industry to make the sacrifices involved in accepting the Government proposals.

We note that—

(*a*) the proposals do not include a substantial recognition of past residence ;

(*b*) that the period is seven years ;

(*c*) that it is proposed that those who acquire citizenship under the law, if changed as proposed, shall not have the vote for the office of President, and that the oath of allegiance would be required seven years before the acquisition of limited burgher rights ;

(*d*) that the proposed new law would have to be published for a year and receive the assent of two-thirds of the enfranchised burghers of the Republic.

Whilst declaring ourselves willing to accept and recommend the acceptance of any fair scheme on constitutional reforms, we consider that such a scheme must first be laid before, and approved by, the unenfranchised community, as the rights, liberties, and privileges of the community would depend absolutely on the nature of the reform.

We have repeated on many occasions that business houses are not qualified to discuss this question on behalf of the general body of Uitlanders, and that we would not presume that we were appointed by the whole community to discuss it on their behalf. It will therefore be necessary to find means to bring the whole question before those directly affected, who are the only ones entitled to finally dispose of the matter, their acquiescence to the scheme having to be first obtained before we recommend the sacrifices which we contemplate in order to ensure a general permanent and peaceful settlement.

For your guidance we enclose an expression of opinion which has been furnished to us by some of the most prominent Uitlanders, and

places before you the views of a very large and influential section of the community.

The above subjects are only those which have been discussed between the Government representatives and ourselves, but, in order to arrive at a final permanent settlement, we think that we ought to endeavour to remove all other causes of disagreement, and treat as well several other important questions left untouched; and we would beg that the Government will take the necessary steps, as far as lies in their power, to assist the industry by bringing native labourers to the goldfields, and to this end will be willing to confer with the Chamber of Mines as to the best means to be adopted; that the law relating to the sale of intoxicating liquor at present in force shall be maintained and strictly enforced. We may further state that we have every confidence in the probity and honour of the Judges of the S.A.R., and wish to place on record our desire that the independence of the Bench should be assured and maintained inviolate in the highest interests of all the inhabitants of the Republic.

We enclose copy of the cable which we sent, embodying the proposals of the Government of the S.A.R. as communicated to us by Mr. Lippert, and copy of the *précis* and resolution passed at the meeting held in London, when the above cable was considered.

This letter conveys to you our opinion as well as that of our friends in Europe, and we should be most happy to arrange a meeting with you and any other representatives of the Government to consider and discuss the points contained therein.

We beg to assure you once more that we, as well as our European friends, are most sincerely desirous to arrive at a satisfactory settlement, securing a peaceful future and promoting the welfare of the country and the people, and trust that you will regard the expression of our opinion in that light.

We remain, honourable Sir,

Yours obediently,

G. ROULIOT.
H. F. E. PISTORIUS.
E. BIRKENRUTH.
JOHN M. PIERCE.
A. BRAKHAN.

The foregoing embodies our views as well as that of our London houses. (Signed) J. G. HAMILTON.
W. DALRYMPLE.

The following memorandum—the one referred to in the above letter—was prepared by well-known Uitlanders whom the Government, owing to the refusal of the capitalists to deal with the franchise, had been obliged to select in order to get some pronouncement upon that question. The little ironies of life have two properties: the humour for the winner, and the hurt for the worsted. The Uitlanders had for three years enjoyed a singularly monotonous experience in ironies, but a turning came in the long lane when it became necessary for the President to suspend the operation of his three years'

ban on two of the Reformers in order to get their advice upon the franchise question.

JOHANNESBURG, S.A.R.,
24th March, 1899.

GENTLEMEN,

In response to the invitation from the Government of the South African Republic conveyed to us by Mr. E. Lippert, we beg to submit the enclosed memorandum upon the franchise question.

Yours faithfully,

J. PERCY FITZPATRICK.
H. C. HULL.
W. DALRYMPLE.
W. A. MARTIN.
THOS. MACKENZIE.
R. STORE.
J. G. HAMILTON.
T. J. BRITTEN.
H. R. SKINNER.

To Messrs. G. Rouliot,
E. Birkenruth,
A. Brakhan,
J. M. Pierce,
H. F. E. Pistorius,
Johannesburg.

MEMORANDUM *RE* FRANCHISE.

After such investigation as the restrictions imposed have permitted, we are of opinion that it would be quite useless to approach the Uitlander population with the Government proposal in its present form, chiefly for the following reasons :—

1. No consideration is given to the term of residence already completed.
2. The alteration of the franchise law according to lately prescribed procedure, whereby two-thirds of the burghers must signify approval, is a practical impossibility,—witness the fact that at the last Presidential election, surpassing in excitement and interest all other occasions of general voting, with the three recognized leaders in the field, and every agency at work to stimulate activity, less than two-thirds of the burghers on the register recorded their votes.
3. The present form of oath would be regarded as humiliating and unnecessary, in support of which view we instance that quite recently the Volksraad of the Orange Free State rejected upon the same grounds the proposed introduction of the same oath of allegiance.
4. The period of disqualification, during which the Uitlander would have given up his own citizenship by naturalizing and have acquired nothing in return, would be found most objectionable —especially with the experience that rights have in the past been legislated away as they were on the point of maturing.
5. In view of the unique conditions of this country, extension of the franchise without some approach to equitable redistribution of representatives would be regarded as no solution of the question and might even provoke doubts as to the *bona fides* of the proposal, which would be a deplorable beginning, yet one easily to be avoided.

Regard being had to the points raised in paragraphs 1, 2, 3, and 4, we consider that as restrictive franchise legislation, apparently designed to

exclude for ever the great bulk of the Uitlander population, dates its beginning from the Session of 1890, and as the various enactments bearing upon this question have been passed by successive Volksraads exercising their power to alter, add to, or revoke, previous enactments, and as the same powers are to the full enjoyed by the present Volksraad, it would be both possible and proper for the present Volksraad to annul all the legislation upon this subject from that date, and to restore and confirm the status prior to 1890, and thus satisfy the indisputable claims of those who settled in this country under certain conditions from the benefits of which they could not properly be excluded.

With regard to paragraph 5, a moderate proposal designed to give a more equitable distribution of representatives in the Volksraad would be necessary.

The above suggestions are not put forward as the irreducible minimum, nor are they designed for public use, nor intended as a proposal acceptable to the eye but impossible in fact, and thus sure of rejection. They are put forward in good faith as indicating in our opinion the lines upon which it would be possible to work towards a settlement with a reasonable prospect of success.

If the difficulties appear great the more reason there is not to put forward an unalterable proposal foredoomed to failure, but rather to try and find points of agreement which, however few and small to begin with, would surely make for eventual and complete settlement. In any case it is clear that the mere fact of a proposal to extend the franchise having been made by the Government, thus frankly recognizing the need to deal with the subject, will be hailed as a good omen and a good beginning by all fair-minded men.

The determination of the negotiators to have the position clearly stated in writing, and their fear that the use of intermediaries would end in the usual unhappy and unpleasant result—namely, repudiation of the intermediary in part or entirely—were not long wanting justification. The following is a translation of Mr. F. W. Reitz's reply:—

PRETORIA, *8th April*, 1899.

Messrs. G. Rouliot, H. F. E. Pistorius, A. Brakhan, E. Birkenruth, and John M. Pierce, Johannesburg.

DEAR SIRS,

I have the honour to acknowledge receipt of your letter dated 27th March last, referring to certain proposals to the Government from representatives of the mining industry.

In order to understand the natural position it is necessary to state the facts more extensively than given in your letter.

It is wrong to say, as you do in the first paragraph of your communication, that Mr. Lippert came to you with certain proposals from the Government.

It appears also from the second paragraph of the same that Mr. Lippert came to you *suo motu* with the object, as he informed me afterwards, to see 'if it was not possible to obtain a better understanding between the Government on the one side and the mining industry on the other.' He acted in no wise as the agent of the Government, or in the name of the Government, to make any proposals to you, but only as a friendly mediator to see how far unnecessary differences and misunderstandings could be removed.

When Mr. Lippert came to Dr. Leyds and myself, and informed us that you and other gentlemen were agreeable to his mediation, we at once agreed with his plan, being aware that there was a warm desire and continued struggle on the part of this Government to remove out of the way all friction and trouble, and that in this case especially it was our object to leave no stone unturned to get all differences settled. We were the more anxious to meet you, because his Honour the State President had decided to lay before the Volksraad certain proposals of law, which are of great importance not only for the people of the Republic, but especially for the mining population and industry. We gave Mr. Lippert to understand that should the leaders of the mining industry have no objection to his mediation, we would not be unwilling to make use of his good services in this matter.

Mr. Lippert then went to Johannesburg, and returned to us with the assurance that there was no objection to his acting as mediator, and gave us some of the subjects on which it appeared to him that it was possible to arrive at a friendly understanding.

In consequence of this, and acting on our own initiative, and not as representatives of the Government, Dr. Leyds, Mr. Smuts, and myself, met some of your leading men, as set forth in your letter.

At this meeting we informed you of the intention of the President to alter certain laws for the general good. Only with reference to the franchise we gave you no definite proposal, the matter being then still under consideration. From your side we requested only a more friendly attitude from the Press, as we were convinced that the excessive Press campaign carried on by the newspapers, which are generally considered to be owned by you, or influenced by you, however much they may forward certain interests, still, in the end, did infinite harm to the existing interests of all sections of the population. Through the continual and incessant agitation and creation of suspicion on the part of the papers, the public mind was constantly in a state of insecurity, and the fanning of the race hatred made it impossible for the Government as well as the legislature to improve the relations between the so-called Uitlanders and the old population.

We requested your friendly assistance also in the settlement of the coolie question, not because we wanted to cause friction between you and other foreign governments, but only because the policy which refers to the native and coloured questions is of the utmost importance to South Africa.

Mr. Lippert had in his programme the granting of a promise on your side that you would support the Government in the obtaining of a loan which the Government may deem necessary, and that you should bind yourselves in writing to abstain from all political organizations inimical to the Government.

These matters we did not discuss, as we considered them unnecessary and inadvisable. From your side you deemed it necessary, before answering us, first to receive the instructions of your foreign principals. Before you could give us the result the President explained his intentions at Heidelberg, and afterwards at Rustenburg and Johannesburg.

Your letter, now under consideration, contains practically a definite answer to our communication to you. I shall now consider the points of your answer separately.

BEWAARPLAATSEN.

With reference to this matter, we think that the undermining rights under bewaarplaatsen, machine stands, and water-rights should be

valued on a reasonable basis, independently by the Government, and by the owner of the surface rights (should there be a difference which cannot be settled amicably, then the value can be fixed by arbitration), and that the surface owner shall have the preferent right to purchase the affected under-mining right at such a valuation. From your communication I understand that you suggest a special method of valuation. That is a detail which can be settled when the valuation is actually commenced, and which experts are better able to judge over than I am. Therefore I shall say no more on this subject.

FINANCIER AND AUDITOR.

On this subject our opinion was that the auditor should be independent of the Government, and alone responsible to the Volksraad to appoint as financier a man of standing, with a seat in the Executive Council, to advise on all matters affecting finances.

I am glad to see that you are with us, and that it gives you great satisfaction. I must express my surprise, however, over your proposal that previous to the appointment this Government must first get the approval of Lord Rothschild or any other capitalist. I can only answer that it is in no wise the intention of the Government to frame the future financial policy of this State on a capitalistic basis, and thus your request cannot be agreed to. It is quite possible to make such an appointment which will carry general approval without being subjected to such a mutual condition.

LOAN, PRESS AGITATION, POLITICAL ORGANIZATION.

With reference to these matters, I have already made it plain to you that in following the proposals of Mr. Lippert by cabling to your principals, you acted under a misunderstanding. We requested no binding declaration from you, only a moral understanding, which would be easy for you to maintain, if it was in the interests of the Uitlanders as well as the burghers of the Republic. I regret that the mistake has arisen, otherwise I cannot see that any objection can come from your side to approve of the plans of the President.

DYNAMITE.

On this question there is a small difference between the proposed policy of the President and your answer.

I only wish to add that his Honour goes further than you do, as he has declared his readiness to expropriate the Dynamite Company, under agreement with its representatives, as soon as possible. If the expropriation takes place after the expiration of the present concession then it will naturally not be on the basis of a going concern.

FRANCHISE.

On this subject I can well understand that you do not wish to take upon your shoulders the responsibility of speaking and acting for the whole of the new population. It was more your personal opinions as men of position that we wished to know. Then again, according to your assurance at the aforementioned meeting, you do not take any personal interest in the franchise question, and that you would rather leave the question to the public; your answer is therefore perfectly fair. His Honour has therefore already acted in accordance with your idea, for he has brought the question of the franchise very prominently before the public, not only at Heidelberg and Rustenburg, but also at Johannesburg.

In conclusion, I wish to refer to one matter which has caused me much pain. It was clearly and distinctly agreed and understood by you all as well as by us that both sides would treat this matter as confidential and secret, as discussions of such important matters cannot be carried on with any results on the tops of houses. What has happened? On the 28th of March I received your letter, and on the 3rd of April, whilst I was yet giving it earnest consideration and had taken all the measures to keep it secret, the contents of the same appeared in the London *Times*, while some days later your answer appeared in full in the *Cape Times*, the *Diamond Fields Advertiser*, and other papers under the influence of the capitalists. The manner in which these papers favourable to you, or controlled by you, have dealt with me in this matter has caused me (I admit it with regret) to doubt for one moment your good faith. Thinking, however, of the great interest as it were in the balance, and believing, moreover, that you never for private or party purposes intended to play with the true and lasting interests of all sections of the community, I cannot help thinking that the reply has been published through one of your subordinates, and regret that the publication has not been immediately repudiated by you publicly as a grave breach of faith. I would regret it, while there exists so few points of difference between us, that these things should bar the way through careless and wrong tactics to a permanent understanding, and trust that the hand extended to the Industry in absolute good faith will not be slighted purposely and wilfully. Owing to the publication of your reply, there exists no further reason for secrecy, and I shall hand my reply to the press.

Your obedient servant,

F. W. REITZ,
State Secretary.

The repudiation of Mr. Lippert's "official" character; the contention that the State Secretary, State Attorney, and Dr. Leyds could divest themselves of all responsibility in negotiations such as these, and claim to have been acting in their private capacity only; and the extraordinary anxiety to keep secret matters which deeply affected the public, and to the settlement of which the Government designed that the public should be committed, compelled the negotiators to produce evidence that the statements and conclusions of the Government were not warranted by the facts. The following letter, which was formally acknowledged but never answered, practically concluded the negotiations :—

JOHANNESBURG, S.A.R., *April* 14, 1899.

To the Honourable the State Secretary, Pretoria.

HONOURABLE SIR,—

We have the honour to acknowledge the receipt of your communication of the 8th April, 1899.

Certain of our statements being doubted and described as erroneous in your letter, we deem it advisable to go more fully into the facts which have preceded and led to this correspondence.

It may be that communications exchanged through an intermediary have been transmitted in a manner liable to convey a different impression from what was actually meant, and in order to clear any possible misunderstanding, we beg to enclose copies of all documents supplied to us by Mr. Lippert, whom we, at all times, considered as your authorized agent.

From these it will be apparent that during the negotiations we acted in perfect good faith, communicating and discussing what we justly considered were the wishes and proposals of the Government, and it will also be clear to you that every one of our statements is based on documents which we had every reason to believe were approved of by the Government.

On February 27th Mr. Lippert called together Messrs. E. Birkenruth, A. Brakhan, and G. Rouliot, to whom he stated that a settlement of certain pending questions could probably be arrived at. He said that he had ascertained the views of Dr. Leyds, Messrs. Reitz and Smuts, who had agreed to a certain programme, and he wanted to know whether we would be willing to open negotiations on that basis, in which case the three officials mentioned would see the State President and ascertain whether he would be prepared to adopt their views.

If the State President's approval could be obtained, Mr. Lippert suggested that a conference should be held to discuss the subjects mentioned in his memorandum.

This memorandum (Annexure 'A'), as explained to us by Mr. Lippert, enumerates under Clauses 1 to 5 inclusive the points which the Government expected us to concede, and the other clauses are what the Government proposed doing in return.

We were then informed that the programme must be considered as a whole, and either adopted or rejected as such, no question being considered separately, and that the matter must be kept absolutely secret.

Upon our statement that we personally would be willing to open negotiations on the basis suggested, Mr. Lippert went to Pretoria and informed the high officials above-named.

On March 1st Mr. Lippert informed us that the State President was viewing the matter favourably, and requested us to acquaint our friends by cable.

Our replies having been communicated to Mr. Lippert, a meeting was arranged on March 9th, as recited in our previous letter, at which Mr. Lippert informed us, no new subject outside of those mentioned in his memorandum could be discussed.

Messrs. Pistorius and Pierce, being invited by Mr. Lippert to attend the meeting, were each supplied by him with a list of the questions to be discussed, forming part of the proposed settlement (Annexure 'B').

On March 12th Mr. Lippert communicated to us what he termed the definite proposals of the Government of the S.A.R., which were duly cabled to our friends in Europe (a copy of this cable has already been sent to you).

He also read to us the declaration, which he suggested we should sign on behalf of ourselves and our European friends (Annexure 'C').

A speedy reply to our cable was asked for, as Mr. Lippert had informed us that, if any settlement could be arrived at, the agreement had to be submitted to the Honourable the First Volksraad before the closing of the extraordinary session which was drawing near.

We beg to point out to you that by cabling these proposals to Europe, we could not possibly conceive that we were acting under a misconception, as the day on which they were made to us, the 12th of March,

being a Sunday, the Telegraph Office was specially kept open for the purpose of dispatching the cables, which were duly received and forwarded upon production of an order from Mr. Lippert.

In our letter of March 17th to his Honour the State President, conveying the nature of our friends' reply, we mentioned the fact that the communication made to us by Mr. Lippert on behalf of the Government had been fully cabled; we stated that our friends no doubt based their suggestion to further discuss the whole of the proposals with Dr. Leyds upon the fact that the Government had stipulated that they should become parties to the proposed settlement.

In your reply of March 18th, no exception is taken to these statements; you tell us, on behalf of his Honour the State President, 'that the exchange of views can best take place direct with the Government, and here, within the Republic,' pointing out the fact 'that the session of the Volksraad was close at hand, and that therefore further delay is undesirable.'

You will thus see that we were perfectly justified in thinking that the communications made to our European friends, embodied the proposals of the Government of the South African Republic, were cabled with the knowledge and approval of the Government, and that we were requested to sign a declaration on behalf of ourselves and our friends, which declaration had to be made public.

Our letter of the 27th March conveyed to you our opinion and that of our friends, upon the subjects comprised in the programme which was submitted to us, and it is unnecessary to go over them in detail again. We beg only to offer a few remarks upon certain points raised in your letter of 8th April:—Bewaarplaatsen: We suggest a basis for the valuation of bewaarplaatsen, machine stands, and water-rights, which in our opinion ought to be adopted, in order to have a uniform and easy method of valuing these places.

Financier: Being fully aware of the complexity of financial problems and questions of taxation in this State, we are anxious that the financier appointed should be of such a standing as to command the confidence of all, so that his recommendations cannot raise any ulterior discussion. For that reason we expressed the opinion that, before making the appointment, the Government should be guided in its choice by someone belonging to a firm of well-known independent standing. We have no desire to see this Government base its future financial policy on any particular line, in the interest of, or directed against, any special section of the people. We only wish to see the financial policy established on sound recognized economic principles, with fair and equitable taxation calculated according to the proper requirements of the State.

Press Agitation—Political Organizations: We have already informed you, that so far as we know, there has been no organized press agitation, and that we should be willing at all times to deprecate the stirring up of strife between nationalities caused by any agency whatsoever. We consider it desirable to see that feeling more general, as we are convinced that exaggerated press campaigns conducted by newspapers generally reported to be influenced by the Government, and tending to create dissension amongst the various classes of the community, are calculated to cause an infinite amount of harm to the vested interests of all sections of the population.

Dynamite: In your letter of the 8th April, you appear to have lost sight of the fact that the proposed settlement was submitted to us as a whole. Mr. Lippert made it clear that, in consideration of the Government granting the measures enumerated in his memorandum, it was

expected that we should abandon our present contentions, and declare ourselves satisfied with the settlement proposed by the Government. Under ordinary circumstances this would be far from meeting our desires, but we intimated to you that we should be willing to recommend to the mining industry the adoption of the proposals made to us on this subject, if by so doing we could promote a permanent satisfactory solution of all pending questions.

In conclusion, we beg to refer to the publication of our previous letter to you. It took place here on the 6th inst., in the afternoon; we immediately instituted an inquiry, and on the 8th inst., in the morning, we wrote that we were in a position to assure you that we could in no way be held responsible for the publication. We never for a moment doubted your good faith, nor that of the other gentlemen for whom the letter was meant, but thought that possibly the communication could have been made through one of your subordinates. However, not being certain of the fact, we merely repudiated any responsibility on our part, and regret that you should have publicly laid the blame on our side, without having communicated with us, asking for an explanation, if you had any suspicion.

We beg to assure you that we are as willing as ever to co-operate with you in arriving at a settlement of all pending differences in order to secure peace and prosperity in this country, and we shall be ready at all times to meet and discuss with you, or any other delegates of the Government, any matter likely to bring about a speedy and permanent solution of all questions, still bearing in mind what we mentioned in our previous correspondence, that we are not qualified to speak on behalf of the whole community.

As you have informed us that you have no objection to it, we shall give a copy of this letter to the press.

We have the honour to be, honourable Sir,

Your obedient servants,

G. ROULIOT,
JOHN M. PIERCE,
A. BRAKHAN,
E. BIRKENRUTH.

(Mr. Pistorius, being absent from town, could not sign this letter.)

ANNEXURE 'A.'

MR. E. LIPPERT'S MEMORANDUM.

1. Cessation of press agitation here and in Europe.
2. Support on the coolie question.
3. Settlement of the dynamite question.
4. Loan (if required).
5. Severance from the S. A. League.
6. Appointment of State Financier and State Auditor, of European reputation, with a seat and vote on the Executive in all questions of finance.
7. No new taxation of mines until submitted by Minister of Finance.
8. Moderate valuation of bewaarplaatsen.
9. Burgher rights—five years—property test.

ANNEXURE 'B.'

Cessation of press agitation here and in Europe.
Support to the Government in its treatment of the coolie question.
Settlement of the dynamite question.

Deprecate the objects of the S. A. League.

Support the placing of a loan if Government wishes it.

Appointment of a financial adviser to the Government, of European reputation, and of an Auditor, both with seats and votes in the Executive Council on all financial matters. (This has been amended by the Government, so far as the Auditor is concerned, to retain the present Auditor, and to give him, *re* dismissal, the same status as a Judge, and to make him directly responsible to the Volksraad.)

No fresh taxation to be levied on the mines until the Financial Adviser has laid his proposals before the Government.

Sale of the undermining rights to the holders of surface rights (bewaarplaatsen, &c.), at a moderate valuation.

Extension of the franchise by granting burgher rights after . . . years of registration, coupled with a property test.

ANNEXURE 'C.'

DRAFT OF DECLARATION TO FOLLOW PROTOCOL EMBODYING THE RESOLUTIONS AGREED UPON.

. . . Thereupon the subscribed parties from Johannesburg, for themselves, and for the parties they represent here and in Europe, declared :—

'The passing by the Volksraad of the laws to be submitted by the Government during this session,—

'For the appointment during the present year of a Financial Adviser to the Government, of European reputation, who shall have a seat and a vote in the Executive Council on all financial matters.

'For placing the Auditor-General on the same status *re* dismissal as the Judges, and for making him responsible directly to the Volksraad, it being agreed that until such Financial Adviser has laid his budget proposals before the Government, no fresh taxation shall be laid upon the mining industry, nor any other direct taxation.

'For granting the undermining rights under bewaarplaatsen, machine stands, and water-rights, to the present holders of the licences, covering such reserved areas at a moderate valuation; such valuation to be arrived at in the following manner: The Government to appoint a valuator, with instructions to value these rights at a fair and moderate valuation, the holder of the surface licence to appoint a valuator; if they agree, then the surface licence holder shall have the first right to the undermining rights at such valuation; if the two valuators cannot agree about a valuation, they shall appoint together an umpire; if they cannot agree about an umpire, the Chief Justice of the High Court shall be asked to appoint an umpire; the decision of such umpire shall be final as to the value of the area under arbitration. If the holder of the surface licence refuses to purchase at the said valuation, the Government shall be at liberty to dispose of it elsewhere.

'For a permanent settlement of the dynamite question on one or the other bases following, namely, that the *status quo* remain in force till the end of the contract period, the Government making use of its right to revise the prices under the terms of the agreement or that the Dynamite Company reduce the price by 5s. to 70s. for No. 1 and to 90s. for blasting gelatine, the Government undertaking to take over the works of the Dynamite Company at the end of the agreement at a valuation as provided by the offer now before the Volksraad.

'For an extension of the franchise to all white aliens in this State, in the following manner: That naturalization be granted to all seeking it, who have resided in the State for two years and who are of good behaviour and who have not suffered any dishonourable sentence by any Court, upon taking the oath of allegiance as prescribed by the existing law; upon such naturalization he shall be entitled to elect a member to the Second Volksraad, and two years after shall be entitled to be elected as a member of the Second Volksraad. A period of seven years having elapsed after naturalization, he shall by virtue of that lapse of time and without further hindrance obtain full burgher rights, the Government, however, reserve to themselves the right (in order to secure the passing of such law through the Volksraad of this and that of the session of 1900) to extend the period of naturalization for the right of voting for the election of a President. Children of naturalized aliens, who attain their majority when their father has obtained full burgher rights, have *ipso facto* the same rights as the father. The Government shall also have the right to attach a moderate property qualification to the obtaining of these extended franchise rights. It is understood that by the laws of the State, this extended franchise can only finally be granted by the Volksraad in session 1900, after the law has been submitted to the people for twelve months, but that the period of 9 resp. 7 years shall date from the passing of the resolution to be passed by the Volksraad now in session.

will be hailed by us with great satisfaction as removing all obstacles to a friendly and peaceful development of mutual understanding and co-operation; it is our wish, and in the interest of those we represent, that the public in Europe and in South Africa be made fully aware hereof by means of the press, and that hostile agitation by means of the press here and elsewhere shall be avoided in future.

'We deprecate all attempts that may be made by political agencies to stir up strife between the different nationalities inhabiting this State, and shall not be parties to any such organizations.

'Seeing the many evils springing from indiscriminate immigration of coloured races, and having been assured that the Government will do all in its power to facilitate in other ways the supply of labour, we support the Government in its contention that the regulations concerning the treatment of "coolies and other coloured races" had best be left to them as a matter of internal concern.

'We will support the placing of a State loan recommended by the Financier in the European markets at reasonable rates, if the Government should desire us to do so in the common interest.

'Seeing the great value the Government evidently sets upon a friendly and permanent settlement of the dynamite question, which has contributed so much to disturbing the good relations, we declare ourselves satisfied with the final settlement arrived at.

'And should, after the passing of the above proposals of law as a whole by the Volksraad, the Government desire us to give publicity to this our declaration for the promotion of peace and goodwill, such publicity as the Government may desire shall be given thereto.'

While the negotiations were actually in progress, and while the Imperial Government were awaiting a reply to their

dispatch, the President made two determined attempts to rush the confirmation of the dynamite monopoly through the Raad. The first proposal was for the fifteen years' extension, and the second provided for condonation of all breaches of the concession in the past and for compensation upon the expiry of the concession.

The Uitlanders had not failed to perceive that the pit dug for them might conceivably serve another purpose. They ignored these two breaches of faith on the part of the President, and pursued the negotiations; and Mr. Kruger overreached himself. Having failed with Johannesburg, and having failed in the Raad, he appealed to his burghers with the scheme of mock reform. His hope was to get such support in the country that the Volksraad in its May session would have to spare the monopoly. He did not realize that he would have to make good the things which he had offered as shams. His greed had given the opening: his hand had provided the weapon. It is not good to be too clever; and the luck had turned.

The publication of the correspondence between the Government and the capitalists created a profound impression. The series of speeches delivered by the President in support of his sham reforms only deepened that impression by providing more and more convincing evidence as to who the real intriguers and mischief-makers were. To the Uitlander public one thing became quite clear, and that was that it was the Government who wished to barter their rights away and the capitalists—the abused capitalists—who refused to do so. An attempt was immediately made to hold a large public meeting for the purpose of endorsing the attitude taken by the negotiators, but the Government refused permission to hold an open-air meeting. In their attempt to hold a meeting indoors, the Uitlanders were defeated by the building being condemned as unsafe. The Government yielded, however, before the storm of disapproval which followed their prohibition, and the State Secretary, Mr. Reitz, suggested that the Uitlanders should hold a series of small indoor meetings in different localities. The meetings were accordingly held, and they provided unmistakable evidence of the gravity of the position. By their numbers,

their unanimity, their enthusiasm, and their moderation, the Uitlanders carried conviction to some and roused the grave apprehension of others. Among the latter, it is fair to infer, were President Kruger and his sympathizers in the Free State and Cape Colony.

There is one disability the existence of which the advocates of the Uitlander cause are always painfully conscious of. They know as well as any of their critics that it is no picture which is all black—that you get no perspective, no effects, without contrasts! Yet it has not been believed that they were willing to acknowledge the good that there was, and that a politic instinct no less than a sense of justice prompted a diligent effort to discover and make much of the genuinely hopeful signs. The monotony was none of their making; it was in the nature of the facts, and not of the recital; but monotony there was, and it was productive of one very bad result. The conditions, admittedly bad, came to be regarded by a good many as being only as bad as they had for a long time been known to be, leaving little hope except through the long slow influence of time, but causing no immediate anxiety or alarm. Someday a grubbing historian may read the back files of South African newspapers and marvel that such warnings should have passed unheeded, but the fact is that the Transvaal Government and its sympathizers had become indifferent to warnings followed by no results and accustomed to prophecies unfulfilled. To say that they were 'fiddling while Rome burned' is to a great extent true of those of the South African Dutch who were sincerely desirous that the Transvaal Government should reform its ways and who were not consciously aiding in the republicanizing movement; but even of them it is not an adequate description,—as the answers given to two questioners by the most prominent and one of the most prominent Bondsmen indicate. Both of them had in private conversation on different occasions acknowledged the soundness of the Uitlander cause. To the suggestion, 'Then why not say so publicly?' the less important of the two replied, 'People would only say that I am climbing down and ratting on my party.' And the more important of the two, answering a similar question, said, 'Yes, the Rev. S. J. Du Toit did that. He

was the founder of the Bond; and to-day he is—nothing! If I did it, I should fall as he did.' 'Then,' said his British friend, 'what is influence worth if it cannot be used for good? Can there be said to be influence when it cannot be used at all?' 'No,' was the reply, 'I have no influence as against the cry of race: blood is thicker than water; and I have no influence at all with Kruger.' The answer to this contained the crux of the question. 'Indeed you have; but you have not the courage to exercise it. The influence of advice has failed, dare you try the influence of repudiation?' The answer was a shake of the head and 'Blood is thicker than water.' That is it! The Piper pipes and the children follow.

It is too much to believe that the conference between the High Commissioner and President Kruger was a suggestion to which the latter had to be won over either by President Steyn or Mr. Hofmeyr. It is, indeed, well-known that the idea of a meeting for the purpose of discussing matters at issue between the two Governments had been considered in Pretoria for some months before it actually took place.[1]

The news that, upon the invitation of President Steyn, the High Commissioner and President Kruger had agreed to meet at Bloemfontein, was received by the Uitlanders with relief; not hope, because it was believed that the President's object was to get something, not to give something; but sheer relief, because, come what might, the position could never again be the same as it was before the conference. Something must change; someone must yield; the unbearable strain must cease. Sir Alfred Milner—wise and just and strong—commanded the entire confidence of the Uitlanders. It was not hoped that he would succeed in effecting a settlement at such a meeting, because in the circumstances such an achievement was believed not to be humanly possible; but it was not feared that he would fail in his duty to his country and to his trust.

It is no part of the object of this volume to deal with the

[1] In March the writer made the suggestion to a representative of the Pretoria Government in the hope of getting rid by a 'square talk' of the many and ever-increasing differences, and was informed that the idea had often been discussed and as often abandoned, because it contained the objectionable feature of establishing a precedent for England's interference in internal affairs.

negotiations which took place at Bloemfontein or with the terms of settlement at the present moment under discussion; the object is to recite the circumstances and conditions which made these negotiations necessary, and which, if they fail, must lead to bloodshed.

With a barrier of insurmountable race feeling before them, the Uitlanders are hopeless of effecting a peaceful redress of their grievances except by the aid of the Suzerain power. The President and his party will not yield one iota except upon the advice of those who have the will and the power to see that that advice is followed. Such power rests in two quarters. It rests with the progressive Dutch of South Africa. They have the power, but unfortunately they have not as yet the will or they have not the courage to use it. Time after time have they been stultified by rallying to the cry of race and defending Mr. Kruger's attitude on certain points, only to find the President abandoning as untenable the position which they have proclaimed to be proper. To them have been addressed most earnest and most solemn appeals to be up and doing whilst there was yet time. From them have been extracted—in times of peace—the amplest admissions of the justice of the Uitlander case. But there is a point beyond which they will not go. They will not say to the President and his party: 'We cannot extol in you what we would condemn in ourselves. The claim of kindred cannot for ever be the stalking-horse for injustice.' That they cannot do; and thus are they bonded to the one who will raise the race cry without scruple. There is no more hopeless feature for the peaceful settlement of the Transvaal question from within than the unanimity which marks the public utterances of those who are claimed as representing Afrikander sentiment in the present crisis. Those expressions, ranging from the most violent denunciations by politicians and ministers of the gospel down to the most illogical and hysterical appeals of public writers, all, all are directed against the injured. Not a warning, not a hint—not a prayer even—addressed to the offender. They have not the sense of justice to see or they have not the courage to denounce the perpetrators of evil but direct all their efforts to hushing the complaints of the victims Truly it would

almost appear that there is some guiding principle running through it all; something which recognizes the real sinner in the victim who complains and not in the villain who perpetrates; the something which found a concrete expression when bail was fixed at £200 for the murder of a British subject and at £1,000 for the crime of objecting to it.

No civilized body of men ever had more just cause for complaint than the Uitlanders of the Transvaal have, but they carry on their reform movement under very difficult and discouraging conditions. Those who have petitioned their Sovereign to secure for them some amelioration of their lot are branded by the head of the State as rebels for so doing, and his example is followed by all his party. Those men who organized or addressed the public meetings which were suggested by Mr. Reitz, the State Secretary, and held for the purpose of discussing a proposal publicly made by the Government, are the men whom Messrs. Dieperink and Viljoen, the members representing Johannesburg in the First and Second Volksraads, denounced as traitors who should be summarily dealt with by the Government. British subjects associated with the Uitlander cause who venture to call upon the British Agent in Pretoria or the High Commissioner in Cape Town are regarded as conspirators and are watched by spies and all their movements are reported to the Transvaal Government.[1] The recognized leaders among the Uitlanders are black-listed in the Dutch press, their names, addresses, and occupations given so that they may be identified,—marked down in the newspapers supported by the Government—as men to be dragged out and shot without trial. Uitlander newspapers have been suppressed for mere political reasons, without even the allegation that there was incitement to violence or disorder, and it is there-

[1] When on a visit to Cape Town in April, the writer called several times upon the High Commissioner, and learning by private advice that his movements were being reported in detail through the Secret Service Department, he informed Sir Alfred Milner of the fact. Sir Alfred admitted that the idea of secret agents in British territory and spies round or in Government House was not pleasant, but expressed the hope that such things should not deter those who wished to call on him, as he was there as the representative of her Majesty for the benefit of British subjects and very desirous of ascertaining for himself the facts of the case.

fore not unreasonable that the impunity with which the Dutch newspapers continue this campaign month after month should be taken as the measure of the Government's complicity.

It is in these circumstances that appeal has been made to England, the only other quarter in which there rests the power to see that justice shall be done. It is an appeal which might well be based upon the broad and acknowledged right of a subject to claim in case of injustice the good offices of his own Government. But here it is based upon a special right. It is the *spirit*[1] of the Pretoria Convention which the Uitlander has invoked for many years, only to be told that the spirit is as it may be interpreted from the letter. But it is not so! Will it be suggested that the British Government contemplated such license when they granted the charter of self-government to the Transvaal

[1] Since this was written, Mr. Chamberlain, speaking in the House of Commons on July 28, 1899, has thus disposed of the question:—

'It has been broken in the spirit more than it has been broken in the letter. The whole spirit of the convention is the preservation of equality as between all the white inhabitants of the Transvaal, and the whole policy of the Transvaal has been to promote a position of inferiority on the part of certain classes. There is something even more striking than that. The conventions were, of course, the result of a previous conference. At that conference definite promises were made which made it impossible to doubt with what object the convention was signed. On May 10, 1881, at a conference between representatives of her Majesty and representatives of the Transvaal the President, Sir Hercules Robinson, asked this question:—

'"Before annexation had British subjects complete freedom of trade throughout the Transvaal? Were they on the same footing as citizens of the Transvaal?

'"Mr. Kruger replied: They were on the same footing as the burghers. There was not the slightest difference in accordance with the Sand River Convention.

'"Sir Hercules Robinson: I presume you will not object to that continuing?

'"Mr. Kruger: No. There will be equal protection for everybody.

'"Sir Evelyn Wood: And equal privileges.

'"Mr. Kruger: We make no difference so far as burgher rights are concerned. There may, perhaps, be some slight difference in the case of a young person who has just come into the country."
(Cheers.) 'Now, there is a distinct promise given by the man who is now President of the Transvaal State that, so far as burgher rights were concerned, they made and would make no difference whatever between burghers and those who came in. The root of the difficulty which I have been describing lies in the fact that this promise has not been kept.'

or that they would have granted it had they foreseen the interpretation? Can it be said that Mr. Kruger and his colleagues contemplated it or would have dared to avow the intention if it were ever entertained? No! And he will be a bolder man than Mr. Kruger who will dispute that answer; for the President's own defence is, not that he had the intention or has the right to differentiate between races and between classes; but—that he does not differentiate. So that the issue is narrowed to this, that it is merely a question of fact!

But the appeal of British subjects in the Transvaal will claim a hearing for other reasons too! Only the blindest can fail to realize how much is at stake, materially and morally, or can fail to see what is the real issue, and how the Mother Country stands on trial before all her children, who are the Empire. Only those who do not count will refuse to face the responsibility in all seriousness, or will fail to receive in the best spirit the timely reminder of past neglect. If the reproaching truth be a hard thing to hear, it is, for those whose every impulse jumps towards championing the great Home Land, a far, far harder thing to say. Unpleasant it may be, but not without good, that England's record in South Africa—of subjects abandoned and of rights ignored, of duty neglected and of pledge unkept, of lost prestige and slipping Empire—should speak to quicken a memory and rouse the native sense of right, so that a nation's conscience will say 'Be just before you are generous! Be just to all—even to your own!

APPENDICES.

APPENDIX A.

PRETORIA CONVENTION.

CONVENTION FOR THE SETTLEMENT OF THE TRANSVAAL TERRITORY.

August, 1881.

PREAMBLE.

Her Majesty's Commissioners for the Settlement of the Transvaal territory, duly appointed as such by a Commission passed under the Royal Sign Manual and Signet, bearing date the 5th of April, 1881, do hereby undertake and guarantee on behalf of Her Majesty that, from and after the 8th day of August, 1881, complete self-government, subject to the suzerainty of Her Majesty, her heirs and successors, will be accorded to the inhabitants of the Transvaal territory, upon the following terms and conditions, and subject to the following reservations and limitations :—

ARTICLE I.

The said territory, to be hereinafter called the Transvaal State, will embrace the land lying between the following boundaries, to wit : [here follow three pages in print defining boundaries.]

ARTICLE II.

Her Majesty reserves to herself, her heirs and successors, (*a*) the right from time to time to appoint a British Resident in and for the said State, with such duties and functions as are hereinafter defined ; (*b*) the right to move troops through the said State in time of war, or in case of the apprehension of immediate war between the Suzerain Power and any Foreign State or Native tribe in South Africa ; and (*c*) the control of the external relations of the said State, including the conclusion of treaties and the conduct of diplomatic intercourse with Foreign Powers, such intercourse to be carried on through Her Majesty's diplomatic and consular officers abroad.

ARTICLE III.

Until altered by the Volksraad, or other competent authority, all laws, whether passed before or after the annexation of the Transvaal territory to Her Majesty's dominions, shall, except in so far as they are inconsistent with or repugnant to the provisions of this Convention, be and remain in force in the said State in so far as they shall be applicable

thereto, provided that no future enactment especially affecting the interest of natives shall have any force or effect in the said State, without the consent of Her Majesty, her heirs and successors, first had and obtained and signified to the Government of the said State through the British Resident, provided further that in no case will the repeal or amendment of any laws enacted since the annexation have a retrospective effect, so as to invalidate any acts done or liabilities incurred by virtue of such laws.

ARTICLE IV.

On the 8th day of August, 1881, the Government of the said State, together with all rights and obligations thereto appertaining, and all State property taken over at the time of annexation, save and except munitions of war, will be handed over to Messrs. Stephanus Johannes Paulus Kruger, Martinus Wessel Pretorius, and Petrus Jacobus Joubert, or the survivor or survivors of them, who will forthwith cause a Volksraad to be elected and convened, and the Volksraad, thus elected and convened, will decide as to the further administration of the Government of the said State.

ARTICLE V.

All sentences passed upon persons who may be convicted of offences contrary to the rules of civilized warfare committed during the recent hostilities will be duly carried out, and no alteration or mitigation of such sentences will be made or allowed by the Government of the Transvaal State without Her Majesty's consent conveyed through the British Resident. In case there shall be any prisoners in any of the gaols of the Transvaal State whose respective sentences of imprisonment have been remitted in part by Her Majesty's Administrator or other officer administering the Government, such remission will be recognized and acted upon by the future Government of the said State.

ARTICLE VI.

Her Majesty's Government will make due compensation for all losses or damage sustained by reason of such acts as are in the 8th Article hereinafter specified, which may have been committed by Her Majesty's forces during the recent hostilities, except for such losses or damage as may already have been compensated for, and the Government of the Transvaal State will make due compensation for all losses or damage sustained by reason of such acts as are in the 8th Article hereinafter specified which may have been committed by the people who were in arms against Her Majesty during the recent hostilities, except for such losses or damages as may already have been compensated for.

ARTICLE VII.

The decision of all claims for compensation, as in the last preceding Article mentioned, will be referred to a Sub-Commission, consisting of the Honourable George Hudson, the Honourable Jacobus Petrus de Wet, and the Honourable John Gilbert Kotzé. In case one or more of such Sub-Commissioners shall be unable or unwilling to act, the remaining Sub-Commissioner or Sub-Commissioners will, after consultation with the Government of the Transvaal State, submit for the approval of Her Majesty's High Commissioners the names of one or more persons to be appointed by them to fill the place or places thus vacated. The decision of the said Sub-Commissioners, or of a majority of them, will

be final. The said Sub-Commissioners will enter upon and perform their duties with all convenient speed. They will, before taking evidence or ordering evidence to be taken in respect of any claim, decide whether such claim can be entertained at all under the rules laid down in the next succeeding Article. In regard to claims which can be so entertained, the Sub-Commissioners will in the first instance afford every facility for an amicable arrangement as to the amount payable in respect of any claim, and only in cases in which there is no reasonable ground for believing that an immediate amicable arrangement can be arrived at will they take evidence or order evidence to be taken. For the purpose of taking evidence and reporting thereon, the Sub-Commissioners may appoint Deputies, who will, without delay, submit records of the evidence and their reports to the Sub-Commissioners. The Sub-Commissioners will arrange their sittings and the sittings of their Deputies in such a manner as to afford the earliest convenience to the parties concerned and their witnesses. In no case will costs be allowed to either side other than the actual and reasonable expenses of witnesses whose evidence is certified by the Sub-Commissioners to have been necessary. Interest will not run on the amount of any claim, except as is hereinafter provided for. The said Sub-Commissioners will forthwith, after deciding upon any claim, announce their decision to the Government against which the award is made and to the claimant. The amount of remuneration payable to the Sub-Commissioners and their Deputies will be determined by the High Commissioners. After all the claims have been decided upon, the British Government and the Government of the Transvaal State will pay proportionate shares of the said remuneration and of the expenses of the Sub-Commissioners and their Deputies, according to the amount awarded against them respectively.

Article VIII.

For the purpose of distinguishing claims to be accepted from those to be rejected, the Sub-Commissioners will be guided by the following rules, viz.:—Compensation will be allowed for losses or damage sustained by reason of the following acts committed during the recent hostilities, viz.: (*a*) commandeering, seizure, confiscation, or destruction of property, or damage done to property; (*b*) violence done or threats used by persons in arms. In regard to acts under (*a*), compensation will be allowed for direct losses only. In regard to acts falling under (*b*), compensation will be allowed for actual losses of property, or actual injury to the same proved to have been caused by its enforced abandonment. No claims for indirect losses, except such as are in this Article especially provided for, will be entertained. No claims which have been handed in to the Secretary of the Royal Commission after the 1st day of July, 1881, will be entertained, unless the Sub-Commissioners shall be satisfied that the delay was reasonable. When claims for loss of property are considered, the Sub-Commissioners will require distinct proof of the existence of the property, and that it neither has reverted nor will revert to the claimant.

Article IX.

The Government of the Transvaal State will pay and satisfy the amount of every claim awarded against it within one month after the Sub-Commissioners shall have notified their decision to the said Government, and in default of such payment the said Government will

pay interest at the rate of six per cent. per annum from the date of such default; but Her Majesty's Government may at any time before such payment pay the amount, with interest, if any, to the claimant in satisfaction of his claim, and may add the sum thus paid to any debt which may be due by the Transvaal State to Her Majesty's Government, as hereinafter provided for

ARTICLE X.

The Transvaal State will be liable for the balance of the debts for which the South African Republic was liable at the date of annexation, to wit, the sum of £48,000 in respect of the Cape Commercial Bank Loan, and £85,667 in respect of the Railway Loan, together with the amount due on 8th August, 1881, on account of the Orphan Chamber Debt, which now stands at £22,200, which debts will be a first charge upon the revenues of the State. The Transvaal State will, moreover, be liable for the lawful expenditure lawfully incurred for the necessary expenses of the Province since the annexation, to wit, the sum of £265,000, which debt, together with such debts as may be incurred by virtue of the 9th Article, will be a second charge upon the revenues of the State.

ARTICLE XI.

The debts due as aforesaid by the Transvaal State to Her Majesty's Government will bear interest at the rate of three and a half per cent., and any portion of such debt which may remain unpaid at the expiration of twelve months from the 8th August, 1881, shall be repayable by a payment for interest and sinking fund of six pounds and ninepence per cent. per annum, which will extinguish the debt in twenty-five years. The said payment of six pounds and ninepence per £100 shall be payable half yearly in British currency on the 8th February and 8th August in each year. Provided always that the Transvaal State shall pay in reduction of the said debt the sum of £100,000 within twelve months of the 8th August, 1881, and shall be at liberty at the close of any half-year to pay off the whole or any portion of the outstanding debt.

ARTICLE XII.

All persons holding property in the said State on the 8th day of August, 1881, will continue after the said date to enjoy the rights of property which they have enjoyed since the annexation. No person who has remained loyal to Her Majesty during the recent hostilities shall suffer any molestation by reason of his loyalty, or be liable to any criminal prosecution or civil action for any part taken in connection with such hostilities, and all such persons will have full liberty to reside in the country, with enjoyment of all civil rights, and protection for their persons and property.

ARTICLE XIII.

Natives will be allowed to acquire land, but the grant or transfer of such land will, in every case, be made to and registered in the name of the Native Location Commission, hereinafter mentioned, in trust for such natives.

ARTICLE XIV.

Natives will be allowed to move as freely within the country as may be consistent with the requirements of public order, and to leave it for the purpose of seeking employment elsewhere or for other lawful

purposes, subject always to the pass laws of the said State, as amended by the Legislature of the Province, or as may hereafter be enacted under the provisions of the Third Article of this Convention.

ARTICLE XV.

There will continue to be complete freedom of religion and protection from molestation for all denominations, provided the same be not inconsistent with morality and good order, and no disability shall attach to any person in regard to rights of property by reason of the religious opinions which he holds.

ARTICLE XVI.

The provisions of the Fourth Article of the Sand River Convention are hereby reaffirmed, and no slavery or apprenticeship partaking of slavery will be tolerated by the Government of the said State.

ARTICLE XVII.

The British Resident will receive from the Government of the Transvaal State such assistance and support as can by law be given to him for the due discharge of his functions; he will also receive every assistance for the proper care and preservation of the graves of such of Her Majesty's forces as have died in the Transvaal, and if need be for the expropriation of land for the purpose.

ARTICLE XVIII.

The following will be the duties and functions of the British Resident:

Sub-section 1.—He will perform duties and functions analogous to those discharged by a Chargé d'Affaires and Consul-General.

Sub-section 2.—In regard to natives within the Transvaal State, he will (*a*) report to the High Commissioner, as representative of the Suzerain, as to the working and observance of the provisions of this Convention; (*b*) report to the Transvaal authorities any cases of ill-treatment of natives or attempts to incite natives to rebellion that may come to his knowledge; (*c*) use his influence with the natives in favour of law and order; and (*d*) generally perform such other duties as are by this Convention entrusted to him, and take such steps for the protection of the person and property of natives as are consistent with the laws of the land.

Sub-section 3.—In regard to natives not residing in the Transvaal, (*a*) he will report to the High Commissioner and the Transvaal Government any encroachments reported to him as having been made by Transvaal residents upon the land of such natives, and in case of disagreement between the Transvaal Government and the British Resident as to whether an encroachment had been made, the decision of the Suzerain will be final; (*b*) the British Resident will be the medium of communication with native chiefs outside the Transvaal, and, subject to the approval of the High Commissioner, as representing the Suzerain, he will control the conclusion of treaties with them; and (*c*) he will arbitrate upon every dispute between Transvaal residents and natives outside the Transvaal (as to acts committed beyond the boundaries of the Transvaal) which may be referred to him by the parties interested.

Sub-section 4.—In regard to communications with foreign Powers, the Transvaal Government will correspond with Her Majesty's Government through the British Resident and the High Commissioner.

ARTICLE XIX.

The Government of the Transvaal State will strictly adhere to the boundaries defined in the First Article of this Convention, and will do its utmost to prevent any of its inhabitants from making any encroachment upon lands beyond the said State. The Royal Commission will forthwith appoint a person who will beacon off the boundary line between Ramatlabama and the point where such line first touches Griqualand West boundary, midway between the Vaal and Hart rivers; the person so appointed will be instructed to make an arrangement between the owners of the farms Grootfontein and Valleifontein on the one hand, and the Barolong authorities on the other, by which a fair share of the water supply of the said farms shall be allowed to flow undisturbed to the said Barolongs.

ARTICLE XX.

All grants or titles issued at any time by the Transvaal Government in respect of land outside the boundary of Transvaal State, as defined, Article I., shall be considered invalid and of no effect, except in so far as any such grant or title relates to land that falls within the boundary of the Transvaal State, and all persons holding any such grant so considered invalid and of no effect will receive from the Government of the Transvaal State such compensation either in land or in money as the Volksraad shall determine. In all cases in which any native chiefs or other authorities outside the said boundaries have received any adequate consideration from the Government of the former South African Republic for land excluded from the Transvaal by the First Article of this Convention, or where permanent improvements have been made on the land, the British Resident will, subject to the approval of the High Commissioner, use his influence to recover from the native authorities fair compensation for the loss of the land thus excluded, and of the permanent improvement thereon.

ARTICLE XXI.

Forthwith, after the taking effect of this Convention, a Native Location Commission will be constituted, consisting of the President, or in his absence the Vice-President of the State, or some one deputed by him, the Resident, or some one deputed by him, and a third person to be agreed upon by the President or the Vice-President, as the case may be, and the Resident, and such Commission will be a standing body for the performance of the duties hereinafter mentioned.

ARTICLE XXII.

The Native Location Commission will reserve to the native tribes of the State such locations as they may be fairly and equitably entitled to, due regard being had to the actual occupation of such tribes. The Native Location Commission will clearly define the boundaries of such locations, and for that purpose will, in every instance, first of all ascertain the wishes of the parties interested in such land. In case land already granted in individual titles shall be required for the purpose of any location, the owners will receive such compensation

either in other land or in money as the Volksraad shall determine. After the boundaries of any location have been fixed, no fresh grant of land within such location will be made, nor will the boundaries be altered without the consent of the Location Commission. No fresh grants of land will be made in the districts of Waterberg, Zoutpansberg, and Lydenburg until the locations in the said districts respectively shall have been defined by the said Commission.

ARTICLE XXIII.

If not released before the taking effect of this Convention, Sikukuni, and those of his followers who have been imprisoned with him, will be forthwith released, and the boundaries of his location will be defined by the Native Location Commission in the manner indicated in the last preceding Article.

ARTICLE XXIV.

The independence of the Swazies within the boundary line of Swaziland, as indicated in the First Article of this Convention, will be fully recognized.

ARTICLE XXV.

No other or higher duties will be imposed on the importation into the Transvaal State of any article the produce or manufacture of the dominions and possessions of Her Majesty, from whatever place arriving, than are or may be payable on the like article the produce or manufacture of any other country, nor will any prohibition be maintained or imposed on the importation of any article the produce or manufacture of the dominions and possessions of Her Majesty, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other country.

ARTICLE XXVI.

All persons other than natives conforming themselves to the laws of the Transvaal State (*a*) will have full liberty with their families to enter, travel, or reside in any part of the Transvaal State; (*b*) they will be entitled to hire or possess houses, manufactures, warehouses, shops, and premises; (*c*) they may carry on their commerce either in person or by any agents whom they may think to employ; (*d*) they will not be subject in respect of their persons or property, or in respect of their commerce or industry to any taxes, whether general or local, other than those which are or may be imposed upon Transvaal citizens.

ARTICLE XXVII.

All inhabitants of the Transvaal shall have free access to the Courts of Justice for the protection and defence of their rights.

ARTICLE XXVIII.

All persons other than natives who established their domicile in the Transvaal between the 12th day of April, 1877, and the date when this Convention comes into effect, and who shall within twelve months after such last-mentioned date have their names registered by the British Resident, shall be exempt from all compulsory military service whatever. The Resident shall notify such registration to the Government of the Transvaal State.

ARTICLE XXIX.

Provision shall hereafter be made by a separate instrument for the mutual extradition of criminals, and also for the surrender of deserters from Her Majesty's forces.

ARTICLE XXX.

All debts contracted since the annexation will be payable in the same currency in which they may have been contracted; all uncancelled postage and other revenue stamps issued by the Government since the annexation will remain valid, and will be accepted at their present value by the future Government of the State; all licenses duly issued since the annexation will remain in force during the period for which they may have been issued.

ARTICLE XXXI.

No grants of land which may have been made, and no transfer of mortgage which may have been passed since the annexation, will be invalidated by reason merely of their having been made or passed since that date. All transfers to the British Secretary for Native Affairs in trust for natives will remain in force, the Native Location Commission taking the place of such Secretary for Native Affairs.

ARTICLE XXXII.

This Convention will be ratified by a newly-elected Volksraad within the period of three months after its execution, and in default of such ratification this Convention shall be null and void.

ARTICLE XXXIII.

Forthwith, after the ratification of this Convention, as in the last preceding Article mentioned, all British troops in Transvaal territory will leave the same, and the mutual delivery of munitions of war will be carried out. Articles end. Here will follow signatures of Royal Commissioners, then the following to precede signatures of triumvirate.

We, the undersigned, Stephanus Johannes Paulus Kruger, Martinus Wessel Pretorius, and Petrus Jacobus Joubert, as representatives of the Transvaal Burghers, do hereby agree to all the above conditions, reservations, and limitations under which self-government has been restored to the inhabitants of the Transvaal territory, subject to the suzerainty of Her Majesty, her heirs and successors, and we agree to accept the Government of the said territory, with all rights and obligations thereto appertaining, on the 8th day of August; and we promise and undertake that this Convention shall be ratified by a newly-elected Volksraad of the Transvaal State within three months from this date.

APPENDIX B.

LONDON CONVENTION.

A CONVENTION BETWEEN HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND THE SOUTH AFRICAN REPUBLIC.

February, 1884.

Whereas the Government of the Transvaal State, through its Delegates, consisting of Stephanus Johannes Paulus Kruger, President of the said State, Stephanus Jacobus Du Toit, Superintendent of Education, and Nicholas Jacobus Smit, a member of the Volksraad, have represented that the Convention signed at Pretoria on the 3rd day of August, 1881, and ratified by the Volksraad of the said State on the 25th October, 1881, contains certain provisions which are inconvenient, and imposes burdens and obligations from which the said State is desirous to be relieved, and that the south-western boundaries fixed by the said Convention should be amended, with a view to promote the peace and good order of the said State, and of the countries adjacent thereto; and whereas Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, has been pleased to take the said representations into consideration: Now, therefore, Her Majesty has been pleased to direct, and it is hereby declared, that the following articles of a new Convention, signed on behalf of Her Majesty by Her Majesty's High Commissioner in South Africa, the Right Honourable Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Governor of the Colony of the Cape of Good Hope, and on behalf of the Transvaal State (which shall hereinafter be called the South African Republic) by the above-named Delegates, Stephanus Johannes Paulus Kruger, Stephanus Jacobus Du Toit, and Nicholas Jacobus Smit, shall, when ratified by the Volksraad of the South African Republic, be substituted for the articles embodied in the Convention of 3rd August, 1881; which latter, pending such ratification, shall continue in full force and effect.

ARTICLES.

ARTICLE I.

The Territory of the South African Republic will embrace the land lying between the following boundaries, to wit:

Beginning from the point where the north-eastern boundary line of Griqualand West meets the Vaal River, up the course of the Vaal River

to the point of junction with it of the Klip River; thence up the course of the Klip River to the point of junction with it of the stream called Gansvlei; thence up the Gansvlei stream to its source in the Drakensberg; thence to a beacon in the boundary of Natal, situated immediately opposite and close to the source of the Gansvlei stream; thence in a north-easterly direction along the ridge of the Drakensberg, dividing the waters flowing into the Gansvlei stream from the waters flowing into the sources of the Buffalo, to a beacon on a point where this mountain ceases to be a continuous chain; thence to a beacon on a plain to the north-east of the last described beacon; thence to the nearest source of a small stream called 'Division Stream'; thence down this division stream, which forms the southern boundary of the farm Sandfontein, the property of Messrs. Meek, to its junction with the Coldstream; thence down the Coldstream to its junction with the Buffalo or Umzinyati River; thence down the course of the Buffalo River to the junction with it of the Blood River; thence up the course of the Blood River to the junction with it of Lyn Spruit or Dudusi; thence up the Dudusi to its source; thence 80 yards to Bea. I., situated on a spur of the N'Qaba-Ka-hawana Mountains; thence 80 yards to the N'Sonto River; thence down the N'Sonto River to its junction with the White Umvulozi River; thence up the White Umvulozi River to a white rock where it rises; thence 800 yards to Kambula Hill (Bea. II.); thence to the source of the Pemvana River, where the road from Kambula Camp to Burgers' Lager crosses; thence down the Pemvana River to its junction with the Bivana River; thence down the Bivana River to its junction with the Pongolo River; thence down the Pongolo River to where it passes through the Libombo Range; thence along the summits of the Libombo Range to the northern point of the N'Yawos Hill in that range (Bea. XVI); thence to the northern peak of the Inkwakweni Hills (Bea. XV.); thence to Sefunda, a rocky knoll detached from and to the north-east end of the White Koppies, and to the south of the Musana River (Bea. XIX.); thence to a point on the slope near the crest of Matanjeni, which is the name given to the south-eastern portion of the Mahamba Hills (Bea. XIII.); thence to the N'gwangwana, a double-pointed hill (one point is bare, the other wooded, the beacon being on the former) on the left bank of the Assegai River and upstream of the Dadusa Spruit (Bea. XII.); thence to the southern point of Bendita, a rocky knoll in a plain between the Little Hlozane and Assegai Rivers (Bea. XI.); thence to the highest point of Suluka Hill, round the eastern slopes of which flows the Little Hlozane, also called Ludaka or Mudspruit (Bea. X.); thence to the beacon known as 'Viljoen's,' or N'Duko Hill; thence to a point north-east of Derby House, known as Magwazidili's Beacon; thence to the Igaba, a small knoll on the Ungwempisi River, also called 'Joubert's Beacon,' and known to the natives as 'Piet's Beacon' (Bea. IX.); thence to the highest point of the N'Dhlovudwalili or Houtbosch, a hill on the northern bank of the Umqwempisi River (Bea. VIII.); thence to a beacon on the only flat-topped rock, about 10 feet high and about 30 yards in circumference at its base, situated on the south side of the Lamsamane range of hills, and overlooking the valley of the great Usuto River; this rock being 45 yards north of the road from Camden and Lake Banagher to the forests on the Usuto River (sometimes called Sandhlanas Beacon) (Bea. VII.); thence to the Gulungwana or Ibubulundi, four smooth bare hills, the highest in that neighbourhood, situated to the south of the Umtuli River (Bea. VI.), thence to a flat-topped rock, 8 feet high, on the crest of the Busuku, a low rocky range south-west

of the Impulazi River (Bea. V.); thence to a low bare hill on the north-east of, and overlooking the Impulazi River, to the south of it being a tributary of the Impulazi, with a considerable waterfall, and the road from the river passing 200 yards to the north-west of the beacon (Bea. IV.); thence to the highest point of the Mapumula range, the water-shed of the Little Usuto River on the north, and the Umpulazi River on the south, the hill, the top of which is a bare rock, falling abruptly towards the Little Usuto (Bea. III.); thence to the western point of a double-pointed rocky hill, precipitous on all sides, called Makwana, its top being a bare rock (Bea. II.); thence to the top of a rugged hill of considerable height falling abruptly to the Komati River, this hill being the northern extremity of the Isilotwani range, and separated from the highest peak of the range Inkomokazi (a sharp cone) by a deep neck (Bea. I.). (On a ridge in the straight line between Beacons I. and II. is an intermediate beacon.) From Beacon I. the boundary runs to a hill across the Komati River, and thence along the crest of the range of hills known as the Makongwa, which runs north-east and south-west, to Kamhlubana Peak; thence in a straight line to Mananga, a point in the Libombo range, and thence to the nearest point in the Portuguese frontier on the Libombo range; thence along the summits of the Libombo range to the middle of the poort where the Komati River passes through it, called the lowest Komati Poort; thence in a north by easterly direction to Pokioens Kop, situated on the north side of the Olifant's River, where it passes through the ridges; thence about north-north-west to the nearest point of Serra di Chicundo; and thence to the junction of the Pafori River with the Limpopo or Crocodile River; thence up the course of the Limpopo River to the point where the Marique River falls into it. Thence up the course of the Marique River to 'Derde Poort,' where it passes through a low range of hills, called Sikwane, a beacon (No. 10) being erected on the spur of said range near to, and westward of, the banks of the river; thence, in a straight line, through this beacon to a beacon (No. 9), erected on the top of the same range, about 1,700 yards distant from beacon No. 10; thence, in a straight line, to a beacon (No. 8) erected on the highest point of an isolated hill, called Dikgagong, or 'Wildebeest Kop,' situated south-eastward of, and about 3½ miles distant from a high hill, called Moripe; thence, in a straight line, to a beacon (No. 7) erected on the summit of an isolated hill or 'koppie' forming the eastern extremity of the range of hills called Moshweu, situated to the northward of, and about two miles distant from, a large isolated hill called Chukudu-Chochwa; thence, in a straight line, to a beacon (No. 6) erected on the summit of a hill forming part of the same range, Moshweu; thence, in a straight line, to a beacon (No. 5) erected on the summit of a pointed hill in the same range; thence, in a straight line, to a beacon (No. 4) erected on the summit of the western extremity of the same range; thence, in a straight line, to a beacon (No. 3) erected on the summit of the northern extremity of a low, bushy hill, or 'koppie,' near to and eastward of the Notwane River; thence, in a straight line, to the junction of the stream called Metsi-Mashware with the Notwane River (No. 2); thence up the course of the Notwane River to Sengoma, being the poort where the river passes through the Dwarsberg range; thence, as described in the Award given by Lieutenant-Governor Keate, dated October 17, 1871, by Pitlanganyane (narrow place), Deboaganka or Schaapkuil, Sibatoul (bare place), and Maclase, to Ramatlabama, a pool on a spruit north of the Molopo River. From Ramatlabama the boundary shall run to the summit of an isolated hill called Leganka;

thence, in a straight line, passing north-east of a Native Station, near 'Buurman's Drift,' on the Molopo River, to that point on the road from Mosiega to the old drift, where a road turns out through the Native Station to the new drift below; thence to 'Buurman's Old Drift'; thence, in a straight line, to a marked and isolated clump of trees near to and north-west of the dwelling-house of C. Austin, a tenant on the farm 'Vleifontein,' No. 117; thence, in a straight line, to the north-western corner beacon of the farm 'Mooimeisjesfontein,' No 30; thence, along the western line of the said farm 'Mooimeisjesfontein,' and in prolongation thereof, as far as the road leading from 'Ludik's Drift,' on the Molopo River, past the homestead of 'Mooimeisjesfontein,' towards the Salt Pans near Harts River; thence, along the said road, crossing the direct road from Polfontein to Sehuba, and until the direct road from Polfontein to Lotlakane or Pietfontein is reached; thence, along the southern edge of the last-named road towards Lotlakane, until the first garden ground of that station is reached; thence, in a south-westerly direction, skirting Lotlakane, so as to leave it and all its garden ground in native territory, until the road from Lotlakane to Kunana is reached; thence along the east side, and clear of that road towards Kunana, until the garden grounds of that station are reached; thence, skirting Kunana, so as to include it and all its garden ground, but no more, in the Transvaal, until the road from Kunana to Mamusa is reached; thence, along the eastern side and clear of the road towards Mamusa, until a road turns out towards Taungs; thence, along the eastern side and clear of the road towards Taungs, till the line of the district known as 'Stellaland' is reached, about 11 miles from Taungs; thence, along the line of the district Stellaland, to the Harts River, about 24 miles below Mamusa; thence, across Harts River, to the junction of the roads from Monthe and Phokwane; thence, along the western side and clear of the nearest road towards 'Koppie Enkel,' an isolated hill about 36 miles from Mamusa, and about 18 miles north of Christiana, and to the summit of the said hill; thence, in a straight line, to that point on the north-east boundary of Griqualand West as beaconed by Mr. Surveyor Ford, where two farms, registered as Nos. 72 and 75, do meet, about midway between the Vaal and Harts Rivers, measured along the said boundary of Griqualand West; thence to the first point where the north-east boundary of Griqualand West meets the Vaal River.

ARTICLE II.

The Government of the South African Republic will strictly adhere to the boundaries defined in the first Article of this Convention, and will do its utmost to prevent any of its inhabitants from making any encroachments upon lands beyond the said boundaries. The Government of the South African Republic will appoint Commissioners upon the eastern and western borders, whose duty it will be strictly to guard against irregularities and all trespassing over the boundaries. Her Majesty's Government will if necessary appoint Commissioners in the native territories outside the eastern and western borders of the South African Republic to maintain order and prevent encroachments.

Her Majesty's Government and the Government of the South African Republic will each appoint a person to proceed together to beacon off the amended south-west boundary as described in Article 1 of this Convention; and the President of the Orange Free State shall be requested to appoint a referee to whom the said persons shall refer any questions on which they may disagree respecting the interpretation of

the said Article, and the decision of such referee thereon shall be final. The arrangement already made, under the terms of Article 19 of the Convention of Pretoria, of the 3rd August, 1881, between the owners of the farms Grootfontein and Valleifontein on the one hand, and the Barolong authorities on the other, by which a fair share of the water supply of the said farms shall be allowed to flow undisturbed to the said Barolongs, shall continue in force.

ARTICLE III.

If a British officer is appointed to reside at Pretoria or elsewhere within the South African Republic to discharge functions analogous to those of a Consular officer, he will receive the protection and assistance of the Republic.

ARTICLE IV.

The South African Republic will conclude no treaty or engagement with any State or nation other than the Orange Free State, nor with any native tribe to the eastward or westward of the Republic, until the same has been approved by Her Majesty the Queen.

Such approval shall be considered to have been granted if Her Majesty's Government shall not, within six months after receiving a copy of such treaty (which shall be delivered to them immediately upon its completion), have notified that the conclusion of such treaty is in conflict with the interests of Great Britain or of any of Her Majesty's possessions in South Africa.

ARTICLE V.

The South African Republic will be liable for any balance which may still remain due of the debts for which it was liable at the date of Annexation—to wit, the Cape Commercial Bank Loan, the Railway Loan, and the Orphan Chamber Debt—which debts will be a first charge upon the revenues of the Republic. The South African Republic will moreover be liable to her Majesty's Government for £250,000, which will be a second charge upon the revenues of the Republic.

ARTICLE VI.

The debt due as aforesaid by the South African Republic to Her Majesty's Government will bear interest at the rate of three and a half per cent. from the date of the ratification of this Convention, and shall be repayable by a payment for interest and Sinking Fund of six pounds and ninepence per £100 per annum, which will extinguish the debt in twenty-five years. The said payment of six pounds and ninepence per £100 shall be payable half-yearly in British currency at the close of each half-year from the date of such ratification : Provided always that the South African Republic shall be at liberty at the close of any half-year to pay off the whole or any portion of the outstanding debt.

Interest at the rate of three and a half per cent. on the debt as standing under the Convention of Pretoria shall as heretofore be paid to the date of the ratification of this Convention.

ARTICLE VII.

All persons who held property in the Transvaal on the 8th day of August 1881 and still hold the same, will continue to enjoy the rights of property which they have enjoyed since the 12th April, 1877. No

person who has remained loyal to Her Majesty during the late hostilities shall suffer any molestation by reason of his loyalty; or be liable to any criminal prosecution or civil action for any part taken in connection with such hostilities; and all such persons will have full liberty to reside in the country, with enjoyment of all civil rights, and protection for their persons and property.

ARTICLE VIII.

The South African Republic renews the declaration made in the Sand River Convention, and in the Convention of Pretoria, that no slavery or apprenticeship partaking of slavery will be tolerated by the Government of the said Republic.

ARTICLE IX.

There will continue to be complete freedom of religion and protection from molestation for all denominations, provided the same be not inconsistent with morality and good order; and no disability shall attach to any person in regard to rights of property by reason of the religious opinions which he holds.

ARTICLE X.

The British Officer appointed to reside in the South African Republic will receive every assistance from the Government of the said Republic in making due provision for the proper care and preservation of the graves of such of Her Majesty's Forces as have died in the Transvaal; and, if need be, for the appropriation of land for the purpose.

ARTICLE XI.

All grants or titles issued at any time by the Transvaal Government in respect of land outside the boundary of the South African Republic, as defined in Article 1, shall be considered invalid and of no effect, except in so far as any such grant or title relates to land that falls within the boundary of the South African Republic; and all persons holding any such grant so considered invalid and of no effect will receive from the Government of the South African Republic such compensation, either in land or in money, as the Volksraad shall determine. In all cases in which any Native Chiefs or other authorities outside the said boundaries have received any adequate consideration from the Government of the South African Republic for land excluded from the Transvaal by the first Article of this Convention, or where permanent improvements have been made on the land, the High Commissioner will recover from the native authorities fair compensation for the loss of the land thus excluded, or of the permanent improvements thereon.

ARTICLE XII.

The independence of the Swazis, within the boundary line of Swaziland, as indicated in the first Article of this Convention, will be fully recognized.

ARTICLE XIII.

Except in pursuance of any treaty or engagement made as provided in Article 4 of this Convention, no other or higher duties shall be imposed on the importation into the South African Republic of any

article coming from any part of Her Majesty's dominions than are or may be imposed on the like article coming from any other place or country; nor will any prohibition be maintained or imposed on the importation into the South African Republic of any article coming from any part of Her Majesty's dominions which shall not equally extend to the like article coming from any other place or country. And in like manner the same treatment shall be given to any article coming to Great Britain from the South African Republic as to the like article coming from any other place or country.

These provisions do not preclude the consideration of special arrangements as to import duties and commercial relations between the South African Republic and any of Her Majesty's colonies or possessions.

ARTICLE XIV.

All persons, other than natives, conforming themselves to the laws of the South African Republic (*a*) will have full liberty, with their families, to enter, travel, or reside in any part of the South African Republic; (*b*) they will be entitled to hire or possess houses, manufactories, warehouses, shops, and premises; (*c*) they may carry on their commerce either in person or by any agents whom they may think fit to employ; (*d*) they will not be subject, in respect of their persons or property, or in respect of their commerce or industry, to any taxes, whether general or local, other than those which are or may be imposed upon citizens of the said Republic.

ARTICLE XV.

All persons, other than natives, who established their domicile in the Transvaal between the 12th day of April, 1877, and the 8th August, 1881, and who within twelve months after such last-mentioned date have had their names registered by the British Resident, shall be exempt from all compulsory military service whatever.

ARTICLE XVI.

Provision shall hereafter be made by a separate instrument for the mutual extradition of criminals, and also for the surrender of deserters from Her Majesty's Forces.

ARTICLE XVII.

All debts contracted between the 12th April, 1877, and the 8th August, 1881, will be payable in the same currency in which they may have been contracted.

ARTICLE XVIII.

No grants of land which may have been made, and no transfers or mortgages which may have been passed between the 12th April, 1877, and the 8th August, 1881, will be invalidated by reason merely of their having been made or passed between such dates.

All transfers to the British Secretary for Native Affairs in trust for natives will remain in force, an officer of the South African Republic taking the place of such Secretary for Native Affairs.

ARTICLE XIX.

The Government of the South African Republic will engage faithfully to fulfil the assurances given, in accordance with the laws of the

South African Republic, to the natives at the Pretoria Pitso by the Royal Commission in the presence of the Triumvirate and with their entire assent, (1) as to the freedom of the natives to buy or otherwise acquire land under certain conditions, (2) as to the appointment of a commission to mark out native locations, (3) as to the access of the natives to the courts of law, and (4) as to their being allowed to move freely within the country, or to leave it for any legal purpose, under a pass system.

ARTICLE XX.

This Convention will be ratified by a Volksraad of the South African Republic within the period of six months after its execution, and in default of such ratification this Convention shall be null and void.

Signed in duplicate in London this 27th day of February, 1884.

HERCULES ROBINSON.
S. J. P. KRUGER.
S. J. DU TOIT.
N. J. SMIT.

APPENDIX C.

PRESIDENT KRUGER'S AFFAIRS IN THE RAADS.

1889.

PRESIDENT.

July.—His Honour accepts a loan of £7,000 from the State funds at 2½ per cent. interest (current rate being about 6 per cent.).

1890.

July 4.—The PRESIDENT said: Mr. Taljaard yesterday threw in my teeth that I took advantage of my position to benefit my own relations. I assure you that I have not done anything of the kind. Unfortunately, one of my relatives who is a speculator has got a concession, which I am in duty bound to carry out. But I am deeply grieved that Mr. Taljaard said what he did say. In future, I can assure you not a single member of my family shall receive a single office. I will not even make one of them a constable. I have children myself, but I have left them on the farm rather than put them in office to draw money from the State.

1891.

May.—In answer to a request that President Kruger would allow his name to be used as patron of a ball in honour of Her Majesty's birthday:

SIR,

In reply to your favour of the 12th instant, requesting me to ask His Honour the State President to consent to his name being used as a patron of a ball to be given at Johannesburg on the 26th inst., I have been instructed to inform you that His Honour considers a ball as Baal's service, for which reason the Lord ordered Moses to kill all offenders; and as it is therefore contrary to His Honour's principles, His Honour cannot consent to the misuse of his name in such connection.

I have, etc.,
F. ELOFF,
Pr. Secretary.

1892.

FIRST RAAD.

PRESIDENT.

May 24.—It was resolved that a dam be constructed on the President's farm 'Geduld' at a cost of £4,500, at the expense of the Treasury.

SECOND RAAD.

The Public Works Department report that the road across the President's farm 'Geduld,' estimated to cost £1,500, had actually cost £5,000. Mr. MEYER stated that this road was of absolutely no use to anyone but the owner of the farm!

FIRST RAAD.

June 15.—Letter from Mr. Mare, Deacon, on behalf of the United Church, Pretoria, complaining that of the twelve erven given by Government to the Church, they had been deprived of four, which had been handed over to the President's Church, the Gerevoormede or Dopper, and two of these had again been transferred to the President himself.

June 16.—After a lengthy discussion it was resolved that the President is entirely exonerated. The Raad further expressed its disapproval of this conduct of a Christian Church, whose duty it should be to foster Christian love, and set an example to the burghers.

FIRST RAAD.

August 2.—A memorial was read from Lichtenburg, praying for a stringent investigation into the Report of the Estimates Committee of 1890, in which it was stated that of £140,000 spent on the Pretoria streets, vouchers for £22,000 were missing. The Raad decided on the President's stating that nothing was wrong with the accounts to send the memorialists a copy of the resolution of last year.

1893.

July 17.—The PRESIDENT said it was simply murdering the erection of factories to say there should be no concessions. He denied that factories could be erected without concessions. If the Raad wished to throw out all concessions, well and good. That simply meant the fostering of industries in other countries.

STANDS SCANDAL.[1]

August 3.—The PRESIDENT said that speculation, when fairly conducted, was justifiable, and the Government had acted according to the circumstances, and in the interests of the State. The Government had no private interests in view, but thought the sale was quite justifiable.

The Minister of Mines was then attacked for granting stands to Raad officials when higher offers had been made.

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[1] By this name is known the series of transactions in which Government land in Johannesburg was sold out of hand to certain private individuals at a nominal figure, many thousands of pounds below the then market value.

APPENDIX D.

VOLKSRAAD DEBATES.

Extracts from the Published Reports.

1889.

May 8.—On the application of the Sheba G. M. Co. for permission to erect an aërial tram from the mine to the mill,

Mr. GROBLAAR asked whether an aërial tram was a balloon or whether it could fly through the air.

The only objection that the Chairman had to urge against granting the tram was that the Company had an English name, and that with so many Dutch ones available.

Mr. TALJAARD objected to the word 'participeeren' (participate) as not being Dutch, and to him unintelligible: 'I can't believe the word is Dutch; why have I never come across it in the Bible if it is?'

June 18.—On the application for a concession to treat tailings,

Mr. TALJAARD wished to know if the words 'pyrites' and 'concentrates' could not be translated into the Dutch language. He could not understand what it meant. He had gone to night-school as long as he had been in Pretoria, and even now he could not explain everything to his burghers. He thought it a shame that big hills should be made on ground under which there might be rich reefs, and which in future might be required for a market or outspan. He would support the recommendation on condition that the name of the quartz should be translated into Dutch, as there might be more in this than some of them imagined.

REDUCTION OF IMPORT DUTIES ON EATABLES.

June 20.—Mr. WOLMARANS said the diggers simply did not want to buy from the Boers; there was plenty of meat and bread in the land, and the Boers could not get good prices for their cattle.

Mr. VAN HEERDEN could not see how the inhabitants of the State would benefit in the least by lowering the tariff.

Messrs. LOMBAARD and WOLMARANS both declared that when duties were at their highest groceries etc. were at their cheapest.

Mr. TALJAARD thought that members who were in favour of lowering the tariff did not act for the benefit of the country.

1890.

May 29.—A discussion of considerable length took place on a petition from burghers of Gatsrand, Potchefstroom district, praying that at least two-thirds of the Government money now lying idle in the banks should be given out to agriculturists as loans, and the remainder for other purposes.

July 2.—His Honour was asked why he did not suppress all sweepstakes and races.

The PRESIDENT said gambling and lotteries were in conflict with the Word of God, but it was also the duty of man to have exercise and to exercise his horses. For that reason an exception had been made in the Bill as to horse-races, etc.

INCREASE OF OFFICIALS' SALARIES.

July 7.—The PRESIDENT supported the increase. He promised the Raad —and he had done this before—that whenever there was a falling off in the revenue, he would at once reduce the salaries. He had said this before, and if members did not believe him let them call him a liar at once.

1891.

SECOND RAAD.

June 5.—Mr. ESSELEN objected to minutes not being full enough.

Mr. TALJAARD accused Mr. Esselen of insulting the Raad.

A discussion ensued on minutes, in which certain proposals which had been rejected had not been incorporated. Several members said that the incorporation of proposals that had been rejected would entail some members being held up to the scorn of the public.

ESTIMATES.

June 24.—Two hundred vouchers were found to be missing from the yearly accounts, and no explanation could be given. Also £13,000 had been given on loan to the Boeren Winkel (Boer General Store—a private mercantile venture).

July 27.—Mr. MARE maintained that the Public Works were badly administered.

The PRESIDENT dashed down the papers in front of him and stalked out of the Raad, after emphatically denying that money had been wasted.

July 27.—At the debate on the question of appointing a State financier, who could among other things be held responsible for the disappearance of vouchers, the Auditor-General said that he did not want an official of that nature, who would be always snivelling about his books.

CLAUSE TWENTY-THREE OF THE GOLD LAW.

August 5.—The PRESIDENT said that owners of properties had quite sufficient privileges already, and he did not want to give them more.

Mr. LOMBAARD said the Gold Fields wanted too much. The revenue from the Gold Fields was already less than the expenditure. He was of opinion that the best course would be to let the Gold Fields go to the devil and look after themselves.

1892.

SECOND RAAD.

May 6.—Protracted discussion arose on the Postal Report, the Conservatives being opposed to erecting pillar-boxes in Pretoria on the ground that they were extravagant and effeminate.

OOM DYLE (Mr. TALJAARD) said that he could not see why people wanted to be always writing letters. He wrote none himself. In the days of his youth he had written a letter, and had not been afraid to travel fifty miles and more on horseback and by wagon to post it; and now people complained if they had to go one mile.

FIRST RAAD.

May 21.—On the question of abolishing the post of Minute-Keeper to the Executive the President fell into a passion with Mr. Loveday who thought a Minute-Keeper unnecessary, and left the Raad in a temper.

June 13.—The PRESIDENT said the reason why he did not subsidize some papers by giving them advertisements was that they did not defend the Government. It was the rule everywhere to give advertisements to papers which supported the Government.

PRESIDENT AND GENERAL.

July 21.—General JOUBERT tenders his resignation as Chairman of the Chicago Exhibition Committee. He had written again and again to the President and State Secretary for an intimation of the Government's intention with regard to the amount on the Estimates, but his communications were treated with silent contempt.

The PRESIDENT made a long speech, in which he said he felt great grief at being thus falsely charged by the General, who was also a member of the Executive. Still he would only bless those who spitefully used him and would not blacken the General.

SECOND RAAD.

July 21.—After the resolution had been taken on Mr. Van Niekerk's proposition regarding compensation for claims not yet worked out (Clause 60 of Gold Law), the PRESIDENT was still speaking, and objecting to the recording of Van Niekerk's objection to the passing of the Gold Law Clause Amendment, when Mr. ESSELEN called 'Order, Order!' several times.

The PRESIDENT said he was insulted by Mr. Esselen and would withdraw unless he apologized.

The Raad adjourned, as Mr. Esselen refused.

FIRST RAAD.

LOCUST EXTERMINATION.

July 21.—Mr. Roos said locusts were a plague, as in the days of King Pharaoh, sent by God, and the country would assuredly be loaded with shame and obloquy if it tried to raise its hand against the mighty hand of the Almighty.

Messrs. DECLERQ and STEENKAMP spoke in the same strain, quoting largely from the Scriptures.

The CHAIRMAN related a true story of a man whose farm was always spared by the locusts, until one day he caused some to be killed. His farm was then devastated.

Mr. STOOP conjured the members not to constitute themselves terrestrial gods and oppose the Almighty.

Mr. LUCAS MEYER raised a storm by ridiculing the arguments of the former speakers, and comparing the locusts to beasts of prey which they destroyed.

Mr. LABUSCHAGNE was violent. He said the locusts were quite different from beasts of prey. They were a special plague sent by God for their sinfulness.

July 26.—Mr. DE BEER attacking the railways said they were already beginning to eat the bitter fruits of them. He was thinking of trekking to Damaraland, and his children would trek still further into the wilderness out of the reach of the iron horse.

August 16.—Mr. DE BEER said he saw where all the opposition to duties came from. It was English blood boiling to protect English manufacture.

1893.

June 21.—A memorial was read from certain burghers of Waterberg about children beating their parents, and praying that such children should not be allowed to become officials of the State or sit in Volksraad!

Mr. DE BEER—the Member for Waterberg—who in the days of his hot youth is said to have given his father a sound thrashing, and is the one aimed at by the memorialists, denied all knowledge of the memorial.

CHARLESTOWN EXTENSION.

August 24.—Mr. WOLMARANS opposed the line, as it would compete with the Delagoa Bay Railway, for which the State was responsible.

Mr. LE CLERQ maintained that the Cape Free State line was against the interests of the burghers, as a tremendous number of cattle were brought into the State from outside countries.

Mr. MALAN said he would never vote for this line.

Mr. ROOS referred to the sacred voice of the people, which he said was against railways.

The extension was eventually approved of.

1894.

FIRST RAAD.

May 14.—A debate took place upon the clause that members should appear in the House clad in broadcloth and having white neckties.

Mr. JAN DE BEER complained of the lack of uniformity in neckties. Some wore a Tom Thumb variety, and others wore scarves. This was a state of things to be deplored, and he considered that the Raad should put its foot down and define the size and shape of neckties.

JAM CONCESSION.

August 20.—The PRESIDENT said he was against concessions generally speaking, but there were cases where exceptions should be made. There was for instance the Jam Concession. The manufacture of jam ought to be protected.

REDUCTION OF POSTAGE FROM TWOPENCE TO ONE PENNY THROUGHOUT THE REPUBLIC.

August 22.—Mr. WOLMARANS opposed the reduction, saying the Postal Department would probably show a deficit at the end of the year. And besides who would benefit? Certainly not the farmers.

Mr. LOMBAARD also was against the reduction.

Mr. DE LA REY said speculators could afford to pay the present rates of postage, and as the reduction would only benefit the townspeople, let matters remain unaltered. If he resided in a town and speculated he would be able to pay twopence.

Mr. SCHUTTE said the Postal Department was run at a loss at present, and if they further reduced the tariff things would go very badly with them.

Reduction rejected, 13 to 9.

INCREASE OF REPRESENTATION.

September 6.—The PRESIDENT throughout the debate maintained that there was no advantage to be gained by increased representation, and that business could be more quickly transacted with a small number of members. He disagreed with those members who wished to give big towns representatives as the Raad would be swamped with town members.

After the rejection of various proposals the PRESIDENT rose and pointed out it would mean ruination to the country if the Raad resolved to increase the number of the members, and amidst some confusion he left, declining to occupy the Presidential chair, muttering that the Raad was large enough already and if it were increased it would be a shame.

EDUCATION QUESTION.

September 7.—The Committee reported that a number of memorials had been received, praying that more hours weekly should be devoted to the English language. Counter memorials had also been received. The Committee advised the Raad not to grant the request of more hours for English.

Mr. LOMBAARD thought the Raad was bound to refuse the request, and it would be useless to discuss the matter.

Mr. DE BEER could see no harm in granting the request, in fact it was their duty to do so.

Mr. SPIES considered there was no necessity to teach English in the State. Trade did not require it, and they could get on very well without English. Let the English remain in their own country.

The PRESIDENT was opposed to extending the hours. He did not object to English being taught, but then it must not interfere with the language of the country to the prejudice of the latter language. He had schools upon his farm, and parents objected to their children being taught English in those schools. After a very little while they could write English as well as or better than their own language, and neglected Dutch for English. *The Dutch language could not be maintained against English in competition.*

Mr. WOLMARANS also spoke against the English language saying that if they went through the list of those who had signed the memorial for the annexation of the Transvaal by the English, they would find without exception that those who signed were English-

speaking. He was against children being taught English so early, as when they were taught young their minds became poisoned with English views.

Mr. OTTO agreed with the spirit of the Committee's report. This was a Dutch country, with Dutch laws, and why should they be asked to exchange the Dutch language for the English? What had the English done for the country that this should be asked?

The CHAIRMAN thought many members made too much of the English language already. One language was sufficient, and if a man was properly educated in his own tongue that should suffice.

Mr. LE CLERQ and Mr. PRINSLOO both cautioned the Raad against foreign languages in their schools.

Mr. LOVEDAY pointed out the absurdity of saying that the National Independence depended upon one language only being used, and pointed to the American and Swiss Republics as examples.

Mr. LOMBAARD in the course of a violent speech said those people who wanted English taught in the State-aided schools were aiming at the independence of the State. They wanted to bring dissension in the midst of the burghers by teaching new and wrong ideas, and they became indignant because the burghers would not allow it. He was ashamed that members should argue in favour of injuring their independence: English should not be taught in the State-aided schools.

The law remained unaltered by 12 to 10.

1895.

July 26.—The matter of purchasing diamond drills cropping up, the PRESIDENT said it was true that the two industries mining and agriculture went hand in hand, but it must be remembered that every fresh goldfield opened meant a fresh stream of people and extra expenses. He hoped the Raad would excuse him referring to it, but the Raad took away the revenue and still asked for money. There was the reduction of postage; now it was asked to spend money on boring machines, when each new field meant so much extra expense. Machines for water boring were cheap and not fitted with diamonds like those for mining, which required to be handled by experts. It must be remembered that money voted for agricultural purposes was spent here, while for the gold industry it was sent away. The Raad must be careful how the money was voted.

FIRST RAAD.

FIRING AT THE CLOUDS TO BRING DOWN RAIN CONSIDERED IMPIOUS.

August 5.—A memorial was read from Krugersdorp praying that the Raad would pass a law to prohibit the sending up of bombs into the clouds to bring down rain, as it was a defiance of God and would most likely bring down a visitation from the Almighty.

The Memorial Committee reported that they disapproved of such a thing, but at the same time they did not consider they could make a law on the subject.

Mr. A. D. WOLMARANS said he was astonished at this advice, and he expected better from the Commission. If one of their children fired towards the clouds with a revolver they would thrash him. Why should they permit people to mock at the Almighty in this

manner? It was terrible to contemplate. He hoped that the Raad would take steps to prevent such things happening.

The CHAIRMAN (who is also a member of the Memorial Commission) said the Commission thought that such things were only done for a wager.

Mr. ERASMUS said they were not done for a wager but in real earnest. People at Johannesburg actually thought that they could bring down the rain from the clouds by firing cannons at them.

Mr. JAN MEYER said such things were actually done in Johannesburg. Last year during the drought men were engaged to send charges of dynamite into the clouds. They fired from the Wanderers' Ground and from elsewhere, but without result. Then some one went to Germiston and fired at a passing cloud; but there was no rain. The cloud sailed away, and the heavens became clear and beautifully blue. He had reported the matter to the Government.

Mr. DU TOIT (Carolina) said he had heard that there were companies in Europe which employed numbers of men to do nothing but shoot at the clouds simply to bring down rain. It was wonderful that men could think of doing such things; they ought to be prohibited here. He did not consider that the Raad would be justified in passing a law on the subject, however; but he thought all the same that they should express their strongest disapproval of such practices.

Mr. BIRKENSTOCK ridiculed the idea of people forcing rain from the clouds. In some of the Kaffir countries they had witch-doctors who tried to bring down rain; whether they succeeded or not was a different matter. Still, if people were foolish enough to try and force the clouds to discharge rain, the Legislature ought not to interfere to prevent them. He did not agree with the idea of firing at the clouds, but did not consider that an Act should be passed to prevent it.

The CHAIRMAN said if such things were actually done—and he was unaware of it—those who did it ought to be prevented from repeating it.

After a further discussion, Mr. A. D. WOLMARANS moved: 'That this Raad, considering the memorial now on the Order, resolves to agree with the same, and instructs the Government to take the necessary steps to prevent a repetition of the occurrences referred to.'

SECOND RAAD.

BARMAIDS.

The article for the abolition of barmaids was dealt with.

Mr. WATKINS declared himself strongly against such an article. He could not see why females should be prevented from dispensing liquor. Such a clause would prevent many respectable young women from making a living.

Mr. PRETORIUS said there were many memorials on this subject, and in compliance with the wish expressed therein the article was inserted in the Liquor Law. Of course, it was for the Raad to decide.

Mr. RENSBURG spoke strongly against the clause. According to it the proprietor's wife would be prevented from going behind the counter. He would not deny that there were some barmaids who were not strictly virtuous, but to accuse them as a class of being

dangerous was going too far. Many of the memorials were signed by women. These memorials were drawn by men whom he considered were hypocrites, and they ought to be ashamed of themselves for their narrow-mindedness.

Mr. VAN STADEN said he did not like to take the bread out of the mouths of a great many women.

Mr. KOENIG suggested that they could become chambermaids.

APPENDIX E.

MALABOCH.

September 4.—An Executive resolution was read, stating that the Executive had decided to deprive Malaboch of his rights of chieftainship, and keep him in the custody of the Government, and that his tribe be broken up and apprenticed out to burghers, each burgher applying to have one or two families upon payment of £3 per family per annum. The Executive wished the Raad to approve of this; the Government had the right to do this according to law. This was without prejudice to the trial before the High Court. Perhaps when the Krijgsraad assembled it would be decided to try him before the High Court on charges of murder and rebellion.

Mr. JEPPE thought this was a matter for the High Court, and counselled the Raad to adopt that course, giving the chief a public trial.

The PRESIDENT said the Executive acted strictly in accordance with the law; it was not necessary for the Government to send the case to the High Court, as it had the power to decide native cases. For instance, in the case of Lo Bengula and his headmen, they were not tried by any High Court.

Mr. MEYER thought they should give Malaboch a fair trial.

Finally Mr. MEYER moved, and Mr. JEPPE seconded, that Executive resolution be accepted for notice.

APPENDIX F.

THE GREAT FRANCHISE DEBATE.

The following extract is made from the Report of the great Franchise Debate, published in the Johannesburg *Star*, August 17, 1895:

EXTENSION OF THE FRANCHISE.—MONSTER UITLANDER PETITIONS.—WHAT THE BURGHERS WISH.

Petitions were read praying for the extension of the franchise. The petitioners pointed out that they were all residents in the Republic, that the increase of the wealth of the country and the status of the country were due to their energy and wealth, that the number of the non-enfranchised far exceeded the number of the burghers, that taxation was so arranged that the non-enfranchised bore four-fifths of the taxes. The memorialists pointed out that one of the Republican principles was equality, but that notwithstanding the numerously signed memorials the Raad decided last year to make the Franchise Law so stringent that a new-comer could never obtain the franchise, and his children could only obtain it under severe conditions. They pointed out the danger of this, and prayed for admission under reasonable conditions.

The petitions came from every part of the country, including all the Boer strongholds, and some were signed by influential officials. One petition from Johannesburg was signed by 32,479 persons, and the total signatures amounted to 35,483.

Memorials to the same effect were read from a large number of farming districts, signed by 993 full burghers, who were anxious that the franchise should be extended to law-abiding citizens. These memorials contained the names of prominent farmers. There were nineteen of these last-named memorials, four of which came from different parts of the Pretoria district and three from Potchefstroom.

A memorial was read from Lydenburg, suggesting that ten years' residence in the country and obedience to the law be the qualification. This was signed by about a hundred burghers.

A number of memorials were read from Rustenberg, Waterberg, Piet Retief, Utrecht, Middelberg, Zoutpansberg, and Krugersdorp, signed by about 500 burghers, stating that while they valued the friendship of the peace-abiding Uitlanders they petitioned the Raad not to extend the franchise or alter last year's law.

A memorial from Krugersdorp was to the effect that the franchise should not be extended until absolutely necessary, and then only in

terms of Art. 4 of the Franchise Law of 1894. This was signed by thirteen persons.

One was read from the Apies River and Standerton, praying that the children of Uitlanders born here should not be granted the franchise.

Memorials from other places, with 523 signatures, prayed that the existing Franchise Law should be strictly enforced.

Several petitions against the prohibition of the Election Committee were read.

A further memorial from the Rand was read, containing 5,152 signatures, pointing out that they objected to the memorial issued by the National Union, and they wanted the system of one-man-one-vote and the ballot system adopted before they asked for the franchise.

THE COMMITTEE'S RECOMMENDATIONS.

The Memorial Committee recommended that the law remain unaltered, because the memorials signed by full burghers requested no extension to take place.

Mr. LUCAS MEYER, who was chairman of the Memorial Commission, submitted a report, stating that he was in the minority and differed from his fellow-committeemen. There was not a single member of the Raad who would use his powers more towards maintaining the independence of the country than himself, but he was fully convinced that the Raad had as bounden duty to propose an alteration to last year's law. Proposals to do so had to emanate from the Raad. A large majority of memorialists who prayed for the extension were not burghers, but even those burghers who petitioned the Raad against the extension asked the Raad not to do so at present. That showed that they were convinced that sooner or later the extension would have to take place—cautiously perhaps, but the extension would come. Even the committee, the majority of whom were against him, recognised this. He repeated that it was his opinion that the time would come. Let the Raad then submit the proposal to the country, and if the majority of the burghers were against it, the Raad would have to stand or fall with the burghers; but at any rate they would be acting according to the will of the country, and could not be blamed for possible consequences. Recently the President said something had to be done to admit a portion of the people who were behind the dam, before the stream became so strong that the walls would be washed away and the country immersed in water. He hoped the Raad would favourably consider his proposal.

Mr. TOSEN said that when the proposals came to extend the franchise, such proposals had to come from old burghers, and so far the old burghers had not signified their willingness that this should be done. On the contrary, a large number of them were against it. They did not wish to exclude the new-comers for all eternity, but just now they should make no concession. It stood to reason that the new-comers could not have so much interest in the country as the old inhabitants. He cautioned the Raad against accepting the recommendations of Mr. Meyer. *It would be contrary to Republican principles.* Yes, he repeated it would be contrary to the principles of Republicanism, and were new-comers admitted to the franchise the old burghers would be deprived of all their rights. They would not dare to vote or exercise any of their privileges. Those persons who signed the petition for the franchise said they were peaceful and law-abiding citizens, *but they gave a sign that they were not law-abiding, because they were against the law. The Election Law was there, and they should abide by it.*

The CHAIRMAN called the speaker to order and advised him to keep to the point, whether it was desirable to extend the franchise or not.

Mr. TOSEN said he was cut short, but in a few words he would say that he would resist to the bitter end any attempt to alter the law as it at present stood. He spoke on behalf of his constituents and himself.

Mr. JEPPE, in the course of his speech, said: Who are the people who now demand from us a reasonable extension of the franchise? There are to begin with almost a thousand old burghers who consent to such extension. There are in addition 890 petitioners, also old burghers, who complain that the franchise has been narrowed by recent legislation. There are 5,100, chiefly from the Rand, who ask for extension subject to the ballot, the principle of which has already been adopted by you, and there is lastly a monster petition, bearing 35,700 names, chiefly from the Rand goldfields: and in passing I may mention that I have convinced myself that the signatures to it, with very few exceptions perhaps are undoubtedly genuine. Well, this petition has been practically signed by the entire population of the Rand. There are not three hundred people of any standing whose names do not appear there. It contains the name of the millionaire capitalist on the same page as that of the carrier or miner, that of the owner of half a district next to that of a clerk, and the signature of the merchant who possesses stores in more than one town of this Republic next to that of the official. It embraces also all nationalities: the German merchant, the doctor from Capetown, the English director, the teacher from the Paarl—they all have signed it. So have—and that is significant—old burghers from the Free State, whose fathers with yours reclaimed this country; and it bears too the signatures of some who have been born in this country, who know no other fatherland than this Republic, but whom the law regards as strangers. Then too there are the new-comers. They have settled for good: they have built Johannesburg, one of the wonders of the age, now valued at many millions sterling, and which, in a few short years, will contain from a hundred to a hundred and fifty thousand souls; they own half the soil, they pay at least three-quarters of the taxes. Nor are they persons who belong to a subservient race. They come from countries where they freely exercised political rights which can never be long denied to free-born men. They are, in short, men who in capital, energy and education are at least our equals. All these persons are gathered together, thanks to our law, into one camp. Through our own act this multitude, which contains elements which even the most suspicious amongst us would not hesitate to trust, is compelled to stand together, and so to stand in this most fatal of all questions in antagonism to us. Is that fact alone not sufficient to warn us and to prove how unstatesmanlike our policy is? What will we do with them now? Shall we convert them into friends or shall we send them away empty, dissatisfied, embittered? What will our answer be? Dare we refer them to the present law, which first expects them to wait for fourteen years and even then pledges itself to nothing, but leaves everything to a Volksraad which cannot decide until 1905? It is a law which denies all political rights even to their children born in this country. Can they gather any hope from that? Is not the fate of the petition of Mr. Justice Morice, whose request, however reasonable, could not be granted except by the alteration of the law published for twelve months and consented to by two-thirds of the entire burgher population, a convincing proof how untenable is the position which we have assumed?

Well, should we resolve now to refuse this request, what will we do when as we well know must happen it is repeated by two hundred thousand one day. You will all admit the doors must be opened. What will become of us or our children on that day, when we shall find ourselves in a minority of perhaps one in twenty, without a single friend amongst the other nineteen, amongst those who will then tell us they wished to be brothers, but that we by our own act made them strangers to the Republic? Old as the world is, has an attempt like ours ever succeeded for long? Shall we say as a French king did that things will last our time, and after that we reck not the deluge? Again I ask what account is to be given to our descendants and what can be our hope in the future?

Mr. DE CLERCQ opposed the extension.

Mr. JAN DE BEER said he could not agree to the prayer for extension. The burghers would decide time enough when the dam was too full, or when fresh water was wanted. He had gone through the memorials, and some that wished an extension were unknown to him, even those who signed from his district. Very few persons were in favour of the extension, If the burghers wished it he would give it, he would agree to it. The people coolly asked the Raad to extend, the franchise to 80,000 persons, men who were not naturalized and had nothing to lose. He did not mind extending the franchise to a few. When it was a small case he did not object, but when it came to giving away their birthright wholesale he kicked. He did not object to give the burgher right to *persons who shot Kaffirs*, or he had better say, persons who went into the native wars on behalf of the Transvaal, because they shed their blood for the country; but people who came here only to make money and that only did not deserve the franchise. Let them look at that book of signatures on the table with the 70,000 names. Who were they? (Laughter, and cries of 'Too much.') Well, 38,000 then. He had 'too much.' They were the persons, the millionaires side by side with mining workers whom Mr. Jeppe spoke of, but where did they find these people side by side? Nowhere! No, he would not grant an extension of the franchise.

The PRESIDENT said he wished to say a few words on the subject, and the first thing he had to say was that those persons who signed the monster petition were unfaithful and not law-abiding.

Mr. JEPPE: I deny that.

The PRESIDENT: Yes—I repeat unfaithful.

Mr. JEPPE (excitedly): I say they are not!

The CHAIRMAN: Order, order!

The PRESIDENT then endeavoured to qualify his remarks by re-asserting that these people were disrespectful and disobedient to the law, because they were not naturalized. 'Now,' asked His Honour triumphantly, 'can you contradict that? No, you cannot. No one can. The law says that they must be naturalized, and they are not.' Speeches had been made that afternoon, His Honour proceeded, urging that the rich should be made burghers and not the poor. Why not the poor as well as the rich, if that were the case? But he was against granting any extension, saving in cases like that he mentioned the other day. Those who went on commando were entitled to it, but no others. Those persons who showed they loved the country by making such sacrifices were entitled to the franchise, and they should get it. These memorials were being sent in year by year, and yearly threats were made to them if they did not open the flood-gates. If the dam was full before the walls were washed over, a certain portion of the water had

to be drained off. Well, this had been done in the case of commando men. They were the clean water which was drained off and taken into the inner dam which consisted of clean water, but he did not wish to take in the dirty water also. No, it had to remain in the outer dam until it was cleaned and purified. The Raad might just as well give away the independence of the country as give all these new-comers, these disobedient persons, the franchise. These persons knew there was a law, but they wished to evade it; they wished to climb the wall instead of going along the road quietly, and these persons should be kept back. He earnestly cautioned the Raad against adopting Mr. L. Meyer's proposal.

Mr. D. JOUBERT said excitement would not avail them. They had to be calm and deliberate. Now, what struck him was first who would give them the assurance, were they to admit the 35,000 persons who petitioned them for the franchise, that they would maintain the independence of the country inviolate and as a sacred heritage? They had no guarantee. He could not agree with the request of the petition (here the speaker became excited, and gesticulating violently, continued), and he would never grant the request if the decision was in his hands.

Mr. A. J. WOLMARANS said that his position on this question was that he would not budge an inch.

Mr. JAN MEYER impugned the genuineness of the petition, and said he had represented Johannesburg in the Raad for some time, and could tell them how those things were worked. They were nearly all forgeries. He stated that as there were only 40,000 people in Johannesburg it was impossible that 38,000 of them signed. Therefore they were forgeries. The speaker concluded by saying that as long as he lived he would never risk the independence of the country by granting the franchise, *except in accordance with the law.* It was unreasonable to ask him to give up his precious birthright in this thoughtless manner. He could not do it—he would not do it!

Mr. PRINSLOO said that he had gone through the petitions from Potchefstroom, and certainly he had to admit that many of the signatures were not genuine, for he found on these petitions the names of his next-door neighbours, who had never told him a word about their signing such petitions.

Mr. OTTO again addressed the Raad, endeavouring to prove that memorials from Ottos Hoop contained many forgeries. He said that he did not consider the Johannesburg people who signed in that wonderful and fat book on the table to be law-abiding, and he would have none of them. The Raad had frequently heard that if the franchise were not extended there would be trouble. He was tired of these constant threats. He would say, 'Come on and fight! Come on!' (Cries of 'Order!')

Mr. OTTO (proceeding): I say, 'Come on and have it out; and the sooner the better.' I cannot help it, Mr. Chairman, I must speak out. I say I am prepared to fight them, and I think every burgher of the South African Republic is with me.

The CHAIRMAN (rapping violently): Order, order!

Mr. OTTO: Yes, this poor South African Republic, which they say they own three-fourths of. They took it from us, and we fought for it and got it back.

The CHAIRMAN: Order!

Mr. OTTO: They called us rebels then. I say they are rebels.

Loud cries of 'Order!'

Mr. OTTO : I will say to-day, those persons who signed the memorials in that book are rebels.

The CHAIRMAN : Will you keep order ? You have no right to say such things. We are not considering the question of powers, but the peaceful question of the extension of the franchise to-day ; and keep to the point.

Mr. OTTO : Very well I will ; but I call the whole country to witness that you silenced me, and would not allow me to speak out my mind.

The PRESIDENT said they had to distinguish between trustworthy persons and untrustworthy, and one proof was their going on commando, and the other was their becoming naturalized. People who were naturalized were more or less worthy, and if they separated themselves from the others who would not get naturalized, and petitioned the Raad themselves, the Raad would give ear to their petition. He strongly disapproved of the Raad being deceived in the manner it had been by the forged signatures.

Mr. R. K. LOVEDAY, in the course of an address dealing exhaustively with the subject, said : The President uses the argument that they should naturalize, and thus give evidence of their desire to become citizens. I have used the same argument, but what becomes of such arguments when met with the objections that the law requires such persons to undergo a probationary period extending from fourteen to twenty-four years before they are admitted to full rights of citizenship, and even after one has undergone that probationary period, he can only be admitted to full rights by resolution of the First Raad ? Law 4 of 1890, being the Act of the two Volksraads, lays down clearly and distinctly that those who have been eligible for ten years for the Second Raad *can* be admitted to full citizenship. So that, in any case, the naturalized citizen cannot obtain full rights until he reaches the age of forty years, he not being eligible for the Second Raad until he is thirty years. The child born of non-naturalized parents must therefore wait until he is forty years of age, although at the age of sixteen he may be called upon to do military service, and may fall in the defence of the land of his birth. When such arguments are hurled at me by our own flesh and blood—our kinsmen from all parts of South Africa—I must confess that I am not surprised that these persons indignantly refuse to accept citizenship upon such unreasonable terms. The element I have just referred to—namely, the Africander element—is very considerable, and numbers thousands hundreds of whom at the time this country was struggling for its independence, accorded it moral and financial support, and yet these very persons are subjected to a term of probation extending from fourteen to twenty-four years. It is useless for me to ask you whether such a policy is just and reasonable or Republican, for there can be but one answer, and that is 'No !' Is there one man in this Raad who would accept the franchise on the same terms ? Let me impress upon you the grave nature of this question, and the absolute necessity of going to the burghers without a moment's delay, and consulting and advising them. Let us keep nothing from them regarding the true position, and I am sure we shall have their hearty co-operation in any reasonable scheme we may suggest. This is a duty we owe them, for we must not leave them under the impression that the Uitlanders are satisfied to remain aliens, as stated by some of the journals. I move amongst these people, and learn to know their true feelings, and when public journals tell you that these people are satisfied with their lot, they tell you that which they know to be false. Such journals are amongst the greatest sources

of danger that the country has. We are informed by certain members that a proposition for the extension of the franchise must come from the burghers, but according to the Franchise Law the proposition must come from the Raad, and the public must consent. The member for Rustenberg says that there are 9,338 burghers who have declared that they are opposed to the extension of the franchise. Upon reference to the Report, he will find that there are only 1,564 opposed to the extension. Members appear afraid to touch upon the real question at issue, but try to discredit the memorials by vague statements that some of the signatures are not genuine, and the former member for Johannesburg, Mr. J. Meyer, seems just as anxious to discredit the people of Johannesburg as formerly he was to defend them.

The CHAIRMAN advanced many arguments in favour of granting the franchise to the Uitlander, but nevertheless concluded by stating that as the Raad with few exceptions were against the extension, he would go with the majority. He was not, he said, averse to the publication of Mr. Meyer's proposition, because the country would have to decide upon it; still he could not favour the extension of the franchise in the face of what had been said during the debate. Let the Raad endeavour to lighten the burden of the alien in other respects. Let the alien come to the Raad with his grievances, and let the Raad give a patient ear unto him, but he really was not entitled to the franchise.

The PRESIDENT again counselled the Raad not to consent to the publication of Mr. Meyer's proposal. He did not want it put to the country. This business had been repeated from year to year until he was tired of it. And why should they worry and weary the burghers once more by asking them to decide upon Mr. Meyer's motion? There was no need for it. There was no uncertainty about it. The burghers knew their minds, and their will, which was supreme, was known. The way was open for aliens to become burghers; let them follow that road and not try to jump over the wall. They had the privilege of voting for the Second Raad if they became naturalized, and could vote for officials, and that was more than they could do in the Cape Colony. In the Colony they could not vote for a President or any official. They were all appointed. They could only vote for Raad members there. And why should they want more power here all at once? What was the cause of all this commotion? What were they clamouring for? He knew. They wanted to get leave to vote for members of the First Raad, which had the independence of the country under its control. He had been told by these people that 'if you take us on the same van with you, we cannot overturn the van without hurting ourselves as well as you.' '*Ja*,' that was true, '*maar*,' the PRESIDENT continued, they could pull away the reins and drive the van along a different route.

Mr. JEPPE, again speaking, said there was one matter he must refer to. That was his Honour's remarks about the petitioners, calling them disobedient and unfaithful. The law compels no one to naturalize himself. How then could these petitioners have disobeyed it? Of course we should prefer them to naturalize. But can we be surprised if they hesitate to do so? Mr. Loveday has told you what naturalization means to them.

The PRESIDENT agreed that these people were not obliged by law to naturalize, but if they wanted burgher rights they should do so, when they would get the franchise for the Second Raad; and upon their being naturalized let them come nicely to the Raad and the Raad would have something to go to the country with, and they would

receive fair treatment; but, if they refused naturalization and rejected the Transvaal laws, could they expect the franchise? No. Let Mr. Jeppe go back and give his people good advice, and if they were obedient to the law and became naturalized they would not regret it; but he could not expect his people to be made full burghers if they were disobedient and refused naturalization. Let them do as he advised, and he (the President) would stand by them and support them.

Mr. JEPPE said: His Honour has again asked me to advise the people of Johannesburg what to do regarding the extension of the franchise. He says they must first naturalize and then come again. Then he holds out hopes that their wishes will be met. Why then does he not support Mr. Meyer's proposal, which affects naturalized people only? What is it I am to advise the people of Johannesburg? I have had many suggestions from different members. You, Mr. Chairman, seem to support the hundred men from Lydenburg who suggest ten years' residence as a qualification. Mr. Jan Meyer suggests that those who came early to the goldfields should memorialize separately, and he would support them. Others say that only those who are naturalized should petition, and that if a few hundreds petitioned instead of 35,000, their reception would be different. Well, we have had one petition here wherein all these conditions were complied with. It was not signed by anyone who had not been here ten years, or who is not naturalized, or who could at all be suspected of being unfaithful, nor could any exception be taken to it on the ground of numbers, since it was signed by one man only, Mr. Justice Morice, and yet it was rejected. Gentlemen, I am anxiously groping for the light; but what, in the face of this, am I to advise my people?

Mr. JAN DE BEER endeavoured to refute Messrs. Jeppe's and Loveday's statements, when they said a man could not become a full member until he was forty. They were out of their reckoning, because a man did not live until he was sixteen. He was out of the country. In the eyes of the law he was a foreigner until he was sixteen. (Laughter.) The member adduced other similar arguments to refute those of Messrs. Jeppe and Loveday, causing much laughter.

Mr. LOVEDAY replied to the President, especially referring to his Honour's statement that he (Mr. Loveday) was wrong when he said that a person would have to wait until he was forty before he could obtain the full rights. He (Mr. Loveday) repeated and emphasized his statements of yesterday.

The CHAIRMAN said there was no doubt about it. What Mr. Loveday said regarding the qualifications and how long a man would have to wait until he was qualified to become a full burgher was absolutely correct. It could not be contradicted. The law was clear on that point. There was no doubt about it.

Mr. JAN DE BEER: Yes; I see now Mr. Loveday is right, and I am wrong. The law does say what Mr. Loveday said. It must be altered.

The debate was closed on the third day, and Mr. Otto's motion to accept the report of the majority of the Committee, to refuse the request of the memoralists, and to refer them to the existing laws, was carried by sixteen votes to eight.

APPENDIX G.

TERMS OF DR. JAMESON'S SURRENDER.

Sir Hercules Robinson to Mr. Chamberlain.

Received April 6, 1896.

Government House, Capetown,
March 16, 1896.

SIR,

I have the honour to transmit for your information a copy of a despatch from Her Majesty's Acting Agent at Pretoria, enclosing a communication from the Government of the South African Republic, accompanied by sworn declarations, respecting the terms of the surrender of Dr. Jameson's force, a summary of which documents I telegraphed to you on the 12th instant.

At my request, Lieutenant-General Goodenough has perused these sworn declarations, and informs me 'that,' in his opinion, 'Jameson's surrender was unconditional, except that his and his people's lives were to be safe so far as their immediate captors were concerned.'

I have, etc.,
HERCULES ROBINSON,
Governor and High Commissioner.

Enclosed in above letter.

From H. Cloete, Pretoria, to the High Commissioner, Capetown.

Pretoria, March 11th, 1896.

SIR,

I have the honour to enclose for the information of your Excellency a letter this day received from the Government, a summary of which I have already sent your Excellency by telegraph.

I have, etc.,
H. CLOETE.

Department of Foreign Affairs,
Government Office, Pretoria,
March 10, 1896.

Division A., R.A., 1056/1896,
B., 395/96.

HONOURABLE SIR,

I am instructed to acknowledge the receipt of the telegram from his Excellency the High Commissioner to you, dated 6th instant, for-

warded on by you to his Honour the State President, and I am now instructed to complete with further data my letter to you of 4th instant, B.B., 257/96, which I herewith confirm, containing the information which the Government then had before it respecting the surrender, and which was furnished in view of your urgent request for an immediate reply.

In order to leave no room for the slightest misunderstanding, and to put an end to all false representations, the Government has summoned not only Commandant Cronjé, but also Commandant Potgieter, Commandant Malan, Field-Cornet Maartens, Assistant Field-Cornet Van Vuuren, and others, whose evidence appears to be of the greatest importance, and places the matter in a clear and plain light.

The information which the Government has found published in the papers is of the following purport:

'THE DOORNKOP SURRENDER: ALLEGED CORRESPONDENCE.

'*London, Monday*, 11.15 *a.m.*

'Mr. Hawksley, the Chartered solicitor, who is defending Dr. Jameson, published the following letter to-day, which passed between Sir John Willoughby and Mr. Cronjé, the Dutch Commandant at the time of the Krugersdorp surrender:

'*From Willoughby to Commandant.*

'"We surrender, providing you guarantee a safe conduct out of the country for every member of the force."

'*From Cronjé to Willoughby.*

'"Please take notice, I shall immediately let our officers come together to decide upon your communication."

'*From Cronjé to Willoughby.*

'"I acknowledge your letter. The answer is, If you will undertake to pay the expenses you have caused to the Transvaal, and will lay down your arms, then I will spare the lives of you and yours. Please send me reply to this within thirty minutes."'

I have now the honour to enclose for the information of His Excellency the High Commissioner and the British Government sworn declarations of:

1. Commandant Cronjé, substantiated by Field-Cornet Maartens and Assistant Field-Cornet Van Vuuren.
2. Commandant Potgieter.
3. Commandant Malan.
4. J. S. Celliers, substantiated by B. J. Viljoen, and the interpreter, M. J. Adendorff.

These sworn declarations given before the State Attorney agree in all the principal points, and give a clear summary of all the incidents of the surrender, and from the main points thereof it appears, *inter alia*:

That the second letter, as published above, and which is alleged to be from Cronjé to Willoughby, was not issued from Cronjé, but from Commandant Potgieter, who has undoubtedly taken up the proper standpoint, and has followed the general rule in matters of urgency,

such as the one in hand, and where the Commandant-General was not present in person on the field of battle, first and before treating wishing to consult with his co-commandants in as far as was possible.

That a note such as appears in his declaration was sent by Commandant Cronjé.

That neither Commandant Malan nor Commandant Potgieter were present at the despatch of it.

That the reply thereon from Willoughby was received by Commandant Cronjé, as appears in that declaration.

That Commandant Cronjé then, in compliance with the note sent by Commandant Potgieter, as well as the other commandants and officers mentioned in the declaration of Cronjé, rode up.

That Commandant Cronjé then explained his own note.

That thereupon also Commandant Malan joined his co-commandants and officers, and at this time Commandants Malan, Cronjé, and Potgieter were present.

That after consultation, and with the approval of Commandants Cronjé and Potgieter, Commandant Malan, by means of the interpreter Adendorff. had the following said to Dr. Jameson :

'This is Commandant Malan. He wishes you distinctly to understand that no terms can be made here. We have no right to make terms here. Terms will be made by the Government of the South African Republic. He can only secure your lives to Pretoria, until you are handed over to Commandant-General at Pretoria.'

That Dr. Jameson agreed to these terms and accepted them.

That thereupon by order of Dr. Jameson the arms were then also laid down.

That Commandant Trichardt then appeared with the orders of the Commandant-General to himself.

It now appears that these orders are those which were contained in the telegram of which I already sent you a copy by my above-quoted letter of the 4th March, 1896, and which, after the final regulation of matters such as had then taken place, was not further acted upon because as regards the surrender negotiations were in fact carried on in accordance with the orders of the Commandant-General.

While putting aside the question of the surrender there is little to be said about the other points contained in the telegram under reply, there is one which is considered of sufficient importance by this Government to even still draw the attention of His Excellency the High Commissioner thereto. His Excellency says : 'I may therefore explain that an armistice had been agreed to pending my arrival.'

The Government here can only think of one other misunderstanding, they having at the time of the disturbances at Johannesburg never recognized any acting party, for which reason therefore the concluding of an armistice was an impossibility.

In conclusion, I have to tender thanks both to His Honour the Secretary of State and His Excellency the High Commissioner for the unprejudiced manner in which they, as against insinuations of a low character, have made known their feelings with respect to the good faith shown by His Honour the State President in his negotiations in connection with the question of the surrender of Dr. Jameson's force.

I have, etc.,

C. VAN BOESCHOTEN,
Acting State Secretary.

His Honour H. Cloete,
Acting British Agent, Pretoria.

Appeared before me, HERMANUS JACOB COSTER, *State Attorney and ex-officio J.P. of the South African Republic,* PIETER ARNOLDUS CRONJÉ, *Commandant of the Potchefstroom District, who makes oath and states:*

I was, together with H. P. Malan (Commandant of the Rustenburg District), and F. J. Potgieter (Commandant of the Krugersdorp District), one of the commanding officers of the burgher forces in the fights against Jameson. When I noticed the white flag, I instantly ordered De la Rey to approach the enemy. Instead of De la Rey, Hans Klopper, one of the men of Commandant Potgieter, went. He brought back a note from Willoughby to me. The contents of the note were that if we left them to themselves he promised to withdraw over the boundary. In reply I sent him per Hans Klopper the following note:

'John Willoughby,—I acknowledge your note, and this serves as reply, that if you guarantee the payment of the expenses which you have occasioned the South African Republic and surrender your flag together with your weapons I will spare the life of you and yours. Please send reply within thirty minutes.'

When this reply was written by me neither Malan nor Potgieter were present. Thereupon he answered that he accepted the terms, and surrendered himself fully with all his arms into my hands. After receiving Willoughby's answer, I rode to Jameson's troops in order to meet the other commandants, in accordance with a note sent by Commandant Potgieter to the enemy. I went with Field-Cornets Maartens and Van Vuuren to Jameson's troops, and met Jameson. When I met him I gave him to clearly understand our agreement namely that he must plainly understand that the last clause was that I guaranteed his life and that of his men until I had handed him over to General Joubert. Thereupon I asked him if he was willing to lay down his flag and his arms, to which he replied, 'I have no flag; I am willing to lay down my arms.' Thereupon I asked him if he could declare upon oath that he had no flag, whereupon he declared under oath that he had no flag. Then Commandant Malan arrived, and then the three commanding officers, Malan, Potgieter and I, were present on the spot.

Before I began speaking to Malan, Jameson called Willoughby to be present. Thereupon Malan and I spoke together about the surrender of Jameson. Whereupon Malan said, 'We can't decide anything here. Jameson must surrender unconditionally, and he must be plainly given to understand that we cannot guarantee his life any longer than till we have handed him over to General Joubert.' I fully agreed with Malan, and the interpreter Adendorff was then instructed by the three commandants jointly to convey plainly in English to Jameson what the three commandants had agreed upon. After this had been done, Jameson bowed, took his hat off, and said in English that he agreed to the terms. Thereupon he issued orders to Willoughby to command the subordinate officers to lay down their arms. Then the arms were laid down. Later on, after the arms had been laid down, Commandant Trichardt arrived with orders from the Commandant-General, and his terms were the same as those we had already laid down.

P. A. CRONJÉ.

Sworn before me on this 7th day of March, 1896.

H. J. COSTER,
State Attorney and Ex-officio J.P.

We, the undersigned, Jan. Thos. Maartens, Field-Cornet of the Ward Gatsrand, District Potchefstroom, and Daniel Johannes Jansen van

Vuuren, Assistant Field-Cornet of the Ward Bovenschoonspruit, declare under oath that we were present at everything stated in the foregoing sworn declaration of Commandant P. A. Cronjé, and that that declaration is correct and in accordance with the truth.

JAN. MAARTENS,
D. J. J. VAN VUUREN.

Sworn before me on this the 7th day of March, 1896.

H. J. COSTER,
State-Attorney and ex-officio J.P.

Appeared before me, HERMANUS JACOB COSTER, *State Attorney and ex-officio J.P. of the South African Republic,* FREDERICK JACOBUS POTGIETER, *Commandant of the Krugersdorp District, who makes oath and states:*

On the morning of January 2, I received a written report from the enemy in which was stated that he would surrender, but that he must be allowed to go back over the line. I answered thereon in writing that I would call the officers together and would then immediately notify him. The report received by me I immediately transmitted to Commandant Cronjé. A short time after I saw Commandant Cronjé with the burghers going towards the enemy. I thereupon also went towards the enemy and met Commandant Cronjé there. I then attended the discussion as set forth in the declaration given by J. T. Celliers, dated March 6, 1896, and confirmed by Messrs. Michiel Joseph Adendorff and Benjamin Johannes Vilgoen.

The purport of that discussion is correctly rendered.

F. J. POTGIETER,
Commandant, Krugersdorp.

This sworn before me on this the 6th day of March, 1896.

H. J. COSTER,
State Attorney and ex-officio J.P.

Appeared before me, HERMANUS JACOB COSTER, *State Attorney and ex-officio J.P. of the South African Republic,* HERCULES PHILIPPUS MALAN, *who makes oath and states:*

I was together with P. A. Cronjé, Commandant of the Krugersdorp District, one of the commanding forces in the fights against Jameson. On the morning of January 2, a despatch rider from Commandant Potgieter came up and informed me that Jameson had hoisted the white flag, and that I must quickly attend a meeting with the other commandants. When I came up to Jameson I found Cronjé and Potgieter there; and, as I saw that Cronjé had been speaking to Jameson, I asked Cronjé 'What is the subject you have been speaking about? I also wish to know it.' Cronjé told me that he had agreed with Jameson that Jameson would pay the expenses incurred by the State, and that he (Cronjé) would spare the lives of Jameson and his people till Pretoria was reached.

Thereupon I answered, 'We cannot make any terms here. We have not the power to do so. Jameson must surrender unconditionally, and we can only guarantee his life until he is delivered over by us into the hands of the Commandant-General. Then he will have to submit to the decision of the Commandant-General and the Government.' When I had said this, Commandant Potgieter answered, 'I agree with that.' And Commandant Cronjé said, 'So be it, brothers.' Thereupon the inter-

preter (Adendorff) was instructed to translate to Jameson what had been spoken. He did so. Jameson thereupon took off his hat, bowed, and replied in English that he agreed thereto. Jameson then ordered Willoughby, who was present from the moment that I arrived, to command the subordinate officers to disarm the men, and thereupon the arms were given up.

H. P. MALAN,
Commandant.

Sworn before me on this the 9th day of March, 1896.

H. J. COSTER,
State Attorney and ex-officio J.P.

Appeared before me, HERMANUS JACOB COSTER, *State Attorney and ex-officio J.P. of the South African Republic,* JAN STEPHANUS CELLIERS, *of Pretoria, who makes oath and states:*

I came up to Jameson and his troops on the second of January (after Jameson had hoisted the white flag), together with B. G. Viljoen, Krugersdorp, and another Viljoen, whose place of residence is unknown to me. I asked one of Jameson's troopers where he was. He showed me the direction and the place where Jameson was. Jameson thereupon approached me, and I greeted him. While this took place Commandant Cronjé, the interpreter (Adendorff), and another man whose name is unknown to me, came. Cronjé was thereupon introduced by Adendorff, who spoke English, to Jameson. Thereupon Cronjé said to Jameson, 'I understand that you and your men will surrender yourselves with your flag and everything you possess?' Jameson said thereupon, 'I fight under no flag.'

Cronjé then replied, 'Then I must believe you upon your word that you have no flag?' Jameson then said, 'I declare under oath that I possess no flag.' This conversation was interpreted word for word by Adendorff. Shortly afterwards Commandant Malan also arrived there He asked, 'What is up here? Tell me the news also.' Then Cronjé told Malan that Jameson would surrender conditionally, whereupon Malan said in effect, 'There can be no question of a conditional surrender here, because we have no right to make terms. The surrender must take place unconditionally. If terms must be made, it must take place at Pretoria. We can only guarantee his life and that of his men as long as they are under us, and until the moment when they are handed over to the Commandant.'

General Cronjé answered thereupon, 'So be it, brother.' Then Adendorff asked if he had to interpret this to Jameson, whereupon Malan said, 'Yes,' and thereupon said in English to Jameson, 'This is Commandant Malan. He wishes you to distinctly understand that no terms can be made here. We have no right to make terms here. Terms will be made by the Government of the South African Republic. He can only secure your lives to Pretoria, until you are handed over to the Commandant-General at Pretoria.'

In reply, Jameson took off his hat, bowed, stepped backwards and said, 'I accept your terms.' Thereupon Jameson ordered Willoughby to command the subordinate officers that the troopers should lay down their arms. The arms were then laid down.

J. S. CELLIERS.

Sworn before me on the 6th March, 1896.

H. J. COSTER,
State-Attorney and ex-officio J.P.

We, the undersigned, Benjamin Johannes Viljoen and Michiel Joseph Adendorff, the persons mentioned in the preceding declaration, declare under oath that the facts stated therein, which we witnessed, as stated above, are true and correct.

B. J. VILJOEN.
M. J. ADENDORFF.

Sworn before me on the 6th March, 1896.

H. J. COSTER,
State-Attorney and ex-officio J.P.

COLONIAL OFFICE TO WAR OFFICE.

SIR, *Downing Street, April 21, 1896.*

I am directed by Mr. Secretary Chamberlain to request that you will lay before the Marquis of Lansdowne the undermentioned papers on the subject of the surrender of Dr. Jameson's force to the Boers.

1. A despatch from Sir Hercules Robinson, enclosing sworn declarations taken by the Government of the South African Republic. A telegraphic summary of these declarations was laid before Dr. Jameson, whose observations are contained in—

2. A letter from the solicitor for Dr. Jameson and his fellow defendants.

3. A despatch from Sir Hercules Robinson, enclosing a sworn statement.

Lord Lansdowne will observe from Sir H. Robinson's despatch of the 16th March that the declarations taken by the Government of the South African Republic were submitted to the General Officer commanding at the Cape, who gave his opinion that the surrender was unconditional.

Mr. Chamberlain would be obliged if Lord Lansdowne would submit these papers to his military advisers, and obtain from them their opinion as to the terms of the surrender, which Mr. Chamberlain thinks was completed on Sir John Willoughby's acceptance of Commandant Cronjé's terms, and was therefore subject to these terms and conditions.

I am, etc.,
R. H. MEADE.

WAR OFFICE TO COLONIAL OFFICE.

Received April 28, 1896.

War Office, London, S.W.,
SIR, *April 27, 1896.*

I am directed by the Secretary of State for War to acknowledge receipt of your letter of the 21st inst., on the subject of the surrender of Dr. Jameson's force to the Boers.

In reply, the Marquis of Lansdowne, having consulted with his military adviser, desires me to observe that, whatever position Mr. Cronjé may hold in the Transvaal army, he decidedly on the occasion in question acted as an officer in authority, and guaranteed the lives of Dr. Jameson and all his men if they at once laid down their arms.

The terms prescribed were accepted by Dr. Jameson's force, and they surrendered and laid down their arms, and no subsequent discussion amongst the Transvaal officers could retract the terms of this surrender.

I am therefore to acquaint you, for the information of the Secretary of State for the Colonies, that the Secretary of State for War concurs with Mr. Chamberlain in considering that the surrender was completed on Sir John Willoughby's acceptance of Commandant Cronjé's terms, and was subject to these terms and conditions.

I am, etc,
ARTHUR L. HALIBURTON.

APPENDIX H.

SIR JOHN WILLOUGHBY'S REPORT TO THE WAR OFFICE.

THE subjoined document is printed in the form in which it was supplied to the author by a journalist, to whom it had been given as a fair statement of the case. The marginal remarks are the notes made by a member of the Reform Committee to whom it was shown.

OFFICIAL REPORT OF THE EXPEDITION THAT LEFT THE PROTECTORATE AT THE URGENT REQUEST OF THE LEADING CITIZENS OF JOHANNESBURG WITH THE OBJECT OF STANDING BY THEM AND MAINTAINING LAW AND ORDER WHILST THEY WERE DEMANDING JUSTICE FROM THE TRANSVAAL AUTHORITIES. By SIR JOHN C. WILLOUGHBY, BART., Lieutenant-Colonel Commanding Dr. Jameson's Forces.

After they had dated the 'urgent' letter, and had wired to Dr. Harris (December 27): 'We will make our own flotation by the aid of the letter which I shall publish.'

On Saturday, December 28, 1895, Dr. Jameson received a Reuter's telegram showing that the situation at Johannesburg had become acute. At the same time reliable information was received that the Boers in the Zeerust and Lichtenburg districts were assembling, and had been summoned to march on Johannesburg.

The same time as he got the telegrams from Johannesburg and messages by Heany and Holden on no account to move.

Preparations were at once made to act on the terms of the letter dated December 20, and already published, and also in accordance with verbal arrangements with the signatories of that letter—viz., that should Dr. Jameson hear that the Boers were collecting, and that the intentions of the Johannesburg people had become generally known, he was at once to come to the aid of the latter with whatever force he had available, and without further reference to them, the object being that such force should reach Johannesburg without any conflict.

Twaddle—in the face of Hammond's, Phillips's, and Sam Jameson's wires not to move.

At 3 p.m. on Sunday afternoon, December 29, everything was in readiness at Pitsani Camp.

The troops were paraded, and Dr. Jameson read the letter of invitation from Johannesburg.

He then explained to the force (*a*) that no hostilities were intended; (*b*) that we should only fight if forced to do so in self-defence; (*c*) that neither the persons nor property of inhabitants of the Transvaal were to be molested; (*d*) that our sole object was to help our fellow-men in their extremity, and to ensure their obtaining attention to their just demands.

Dr. Jameson's speech was received with the greatest enthusiasm by the men, who cheered most heartily.

The above programme was strictly adhered to until the column was fired upon on the night of the 31st.

Many Boers, singly and in small parties, were encountered on the line of march; to one and all of these the pacific nature of the expedition was carefully explained.

Start from Pitsani. The force left Pitsani Camp at 6.30 p.m., December 29, and marched through the night.

At 5.15 a.m. on the morning of the 30th the column reached the village of Malmani (39 miles distant from Pitsani).

Junction effected at Malmani with B.B.P. Precisely at the same moment the advanced guard of the Mafeking Column (under Colonel Grey) reached the village, and the junction was effected between the two bodies.

For details of the composition of the combined force, as also for general particulars of the march to Krugersdorp, see sketch of the route and schedule attached (marked A. and B. respectively).

Defile at lead-mines passed. From Malmani I pushed on as rapidly as possible in order to cross in daylight the very dangerous defile at Lead Mines. This place, distant 71 miles from Pitsani, was passed at 5.30 p.m., December 30.

I was subsequently informed that a force of several hundred Boers, sent from Lichtenburg to intercept the force at this point, missed doing so by three hours only.

Letter from Commandant-General. At our next 'off-saddle' Dr. Jameson received a letter from the Commandant-General of the Transvaal demanding to know the reason of our advance, and ordering us to return immediately. A reply was sent to this, explaining Dr. Jameson's reasons in the same terms as those used to the force at Pitsani.

Letter from High Commissioner. At Doornport (91 miles from Pitsani), during an 'off-saddle' early on Tuesday morning, December 31, a mounted messenger overtook us, and presented a letter from the High Commissioner, which contained an order to Dr. Jameson and myself to return at once to Mafeking and Pitsani.

Reasons for not retreating. A retreat by now was out of the question, and to comply with these instructions an impossibility. In the first place, there was absolutely no food for men or horses along the road which we had recently followed; secondly, three days at least would be necessary for our horses, jaded with forced marching, to return; on the road ahead we were sure of finding, at all events, some food for man and beast. Furthermore, we had by now traversed almost two-thirds of the total distance; a large force of Boers was known to be intercepting our retreat, and we were convinced that any retrograde movement would bring on an attack of Boers from all sides.

It was felt, therefore, that to ensure the safety of our little force, no alternative remained but to push on to Krugersdorp to our friends, who we were confident would be awaiting our arrival there.

Apart from the above considerations, even had it been possible to effect a retreat from Doornport, we knew that Johannesburg had risen, and felt that by turning back we should be shamefully deserting those coming to meet us.

They could not possibly *know* it, because the rising—*i.e.*, the public arming and moving of men—only began at the very hour they claim to have *known* it, and because the first news from Johannesburg only reached them 24 hours later by the two cyclists. 'Oh what a tangled web we weave, when——'

Finally, it appeared to us impossible to turn back, in view of the fact that we had been urgently called in to avert a massacre, which we had been assured would be imminent in the event of a crisis such as had now occurred.

Vide the telegrams and messages to stop! How noble!

Near Boon's store, on the evening of the 31st, an advanced patrol fell in with Lieutenant Eloff, of the Krugersdorp Volunteers. This officer, in charge of a party of 15 scouts, had come out to gain intelligence of our movements. He was detained whilst our intentions were fully explained to him, and then released at Dr. Jameson's request. Boer scouts.

At midnight (New Year's Eve), while the advanced scouts were crossing a rocky wooded ridge at right angles to and barring the line of advance, they were fired on by a party of 40 Boers, who had posted themselves in this position. The scouts, reinforced by the advanced guard, under Inspector Straker, drove off their assailants after a short skirmish, during which one trooper of the M.M.P. was wounded. First skirmish New Year's Eve.

At Van Oudtshoorn's, early on the following morning (January 1), Dr. Jameson received a second letter from the High Commissioner, to which he replied in writing.

At 9.30 a.m. the march was resumed in the usual day formation. After marching two miles, the column got clear of the hills and emerged into open country.

About this time Inspector Drury, in command of the rearguard, sent word that a force of about 100 Boers was following him about one mile in rear. I thereupon reinforced the rearguard, hitherto consisting of a troop and one Maxim, by an additional half-troop and another Maxim. 10.15 a.m.

About 5 miles beyond Van Oudtshoorn's store the column was met by two cyclists bearing letters from several leaders of the Johannesburg Reform Committee. These letters expressed the liveliest approval and delight at our speedy approach, and finally contained a renewal of their promise to meet the column with a force at Krugersdorp.[1] The messengers also reported that only 300 armed Boers were in the town. 11 a.m.

This news was communicated to the troops, who received it with loud cheers.

When within two miles of Hind's store, the column was delayed by extensive wire-fencing, which ran for one and a half miles on either side of the road, and practically constituted a defile.

While the column was halted and the wire being cut, the country for some distance on both sides was carefully scouted.

By this means it was ascertained that there was a considerable force of Boers (1) on the left front, (2) in the immediate front (retreating hastily on Krugersdorp), (3) a third party on the right flank.

The force which had been following the column from Van Oudtshoorn's continued to hover in the rear.

Lieutenant-Colonel White, in command of the advanced guard, sent back a request for guns to be pushed forward as a precaution in case of

[1] The letters are published in their proper place, and readers can satisfy themselves as to whether they justify the above inference.

an attack from the Boers in front. By the time these guns reached the advanced guard, the Boers were still retreating some two miles off. A few rounds were then fired in their direction. Had Colonel White, in the first instance, opened fire with his Maxims on the Boers, whom he surprised watering their horses close to Hind's store, considerable loss would have been inflicted; but this was not our object, for with the exception of the small skirmish on the previous night, the Boers had not as yet molested the column, whose sole aim was to reach Johannesburg if possible without fighting.

1 30 p.m. At this hour Hind's store was reached.

Here the troops rested for one and a half hours.

Unfortunately, hardly any provisions for men and horses were available.

3 p.m. An officers' patrol, consisting of Major Villiers (Royal Horse Guards) and Lieutenant Grenfell (1st Life Guards) and six men, moved off for the purpose of reconnoitring the left flank of the Boer position, while Captain Lindsell, with his permanent force of advanced scouts, pushed on as usual to reconnoitre the approach by the main road. At the same time I forwarded a note to the Commandant of the forces in Krugersdorp to the effect that, in the event of my friendly force meeting with opposition on its approach, I should be forced to shell the town, and that therefore I gave him this warning in order that the women and children might be moved out of danger. Friendly!

To this note, which was despatched by a Boer who had been detained at Van Oudtshoorn, I received no reply.

At Hind's store we were informed that the force in our front had increased during the forenoon to about 800 men, of whom a large number were entrenched on the hillside.

4 30 p m. Four miles beyond Hind's store, the column following the scouts, which met with no opposition, ascended a steep rise of some 400 feet, and came full in view of the Boer position on the opposite side of a deep valley, traversed by a broad "sluit" or muddy water course.

Standing on the plateau or spur, on which our force was forming up for action, the view to our front was as follows:

Passing through our position to the west ran the Hind's store—Krugersdorp Road traversing the valley and the Boer position almost at right angles to both lines.

Immediately to the north of this road, at the point where it disappeared over the sky-line on the opposite slope, lay the Queen's Battery House and earthworks, completely commanding the valley on all sides and distant 1,900 yards from our standpoint.

Some 1,000 yards down the valley to the north stood a farmhouse, surrounded by a dense plantation, which flanked the valley.

Half-way up the opposite slope, and adjacent to the road, stood an iron house which commanded the drift where the road crossed the above-mentioned watercourse.

On the south side of the road, and immediately opposite the last-named iron house, an extensive rectangular stone wall enclosure with high trees formed an excellent advanced central defensive position. Further up the slope, some 500 yards to the south of this enclosure, stretched a line of rifle-pits, which were again flanked to the south by 'prospecting' trenches. On the sky-line numbers of Boers were apparent to our front and right front.

Before reaching the plateau we had observed small parties of Boers hurrying towards Krugersdorp, and immediately on reaching the high

ground the rearguard was attacked by the Boer force which had followed the column during the whole morning.

I therefore had no further hesitation in opening fire on the Krugersdorp position.

The two seven-pounders and the 12½ pounder opened on the Boer line, making good practice under Captain Kincaid-Smith and Captain Gosling at 1,900 yards. 4.30 p.m.

It must have been here that the waggon-loads of dead Boers weren't found.

This fire was kept up until 5 p.m. The Boers made practically no reply, but lay quiet in the trenches and battery. 5 p.m.

Scouts having reported that most of the trenches were evacuated, the first line consisting of the advanced guard (a troop of 100 men), under Colonel White advanced. Two Maxims accompanied this force; a strong troop with a Maxim formed the right and left supports on either flank.

Lieutenant-Colonel Grey, with one troop B.B.P. and one Maxim, had been previously detailed to move round and attack the Boers' left.

The remaining two troops, with three Maxims, formed the reserve and rearguard.

The first line advance continued unopposed to within 200 yards of the watercourse, when it was checked by an exceedingly heavy cross-fire from all points of the defence.

Colonel White then pushed his skirmishers forward into and beyond the watercourse.

The left support under Inspector Dykes then advanced to prolong the first line to the left, but, diverging too much to his left this officer experienced a very hot flanking fire from the farmhouse and plantation, and was driven back with some loss.

Colonel Grey meanwhile had pushed round on the extreme right and come into action.

About this time Major Villiers' patrol returned and reported that the country to our right was open, and that we could easily move round in that direction. 5.30 p.m.

It was now evident that the Boers were in great force, and intended holding their position.

Without the arrival of the Johannesburg force in rear of the Boers—an event which I had been momentarily expecting—I did not feel justified in pushing a general attack, which would have certainly entailed heavy losses on my small force.

When Celliers and Rowlands left them at 11 a.m. they had not expected anyone. *Vide* Cellier's report and Colonel H. F. White's letter.

I accordingly left Inspector Drury with one troop and one Maxim to keep in check the Boers who were now lining the edge of the plateau to our left, and placed Colonel Grey with two troops B.B.P., one 12½ pounder, and one Maxim to cover our left flank and continue firing on the battery and trenches south of the road. 6.15 p.m.

I then made a general flank movement to the right with the remaining troops.

Colonel Grey succeeded in shelling the Boers out of their advanced position during the next half-hour, and blew up the battery house.

Under this cover the column moved off as far as the first houses of the Randfontein group of mines, the Boers making no attempt to intercept the movement. Flank movement.

Night was now fast approaching, and still there were no signs of the promised help from Johannesburg. I determined, therefore, to push

on with all speed in the direction of that town, trusting in the darkness to slip through any intervening opposition.

Two guides were obtained, the column formed in the prescribed night order of march, and we started off along a road leading direct to Johannesburg.

At this moment heavy rifle and Maxim fire was suddenly heard from the direction of Krugersdorp, which lay 1½ miles to the left rear.

We at once concluded that this could only be the arrival of the long-awaited reinforcements, for we knew that Johannesburg had Maxims, and that the Staats'-Artillerie were not expected to arrive until the following morning. To leave our supposed friends in the lurch was out of the question. I determined at once to move to their support.

Long awaited! Why, this was only 6 hours since the cyclists left.

Leaving the carts escorted by one troop on the road I advanced rapidly across the plateau towards Krugersdorp in the direction of the firing, in the formation shown in the accompanying sketch.

After advancing thus for nearly a mile the firing ceased, and we perceived the Boers moving in great force to meet the column. The flankers on the right reported another force threatening that flank.

Fearing that an attempt would be made to cut us off from the ammunition carts, I ordered a retreat on them.

It was now clear that the firing, whatever might have been the cause thereof, was not occasioned by the arrival of any force from Johannesburg.

Precious moments had been lost in the attempt to stand by our friends at all costs, under the mistaken supposition that they could not fail to carry out their repeated promises,[1] renewed to us by letter so lately as 11 a.m. this same day. It was now very nearly dark. In the dusk the Boers could be seen closing in on three sides—viz., north, east, and south. The road to Johannesburg appeared completely barred, and the last opportunity of slipping through, which had presented itself an hour ago when the renewed firing was heard, was gone not to return.

This is really magnificent!

Bivouac, January 1.

Nothing remained but to bivouac in the best position available.

But for the unfortunate circumstance of the firing, which we afterwards heard was due to the exultation of the Boers at the arrival of large reinforcements from Potchefstroom, the column would have been by this time (7 p.m.) at least four or five miles further on the road to Johannesburg, with an excellent chance of reaching that town without further opposition.

I moved the column to the edge of a wide vley to the right of the road, and formed the horses in quarter-column under cover of the slope. The carts were formed up in rear and on both flanks, and five Maxims were placed along the front so as to sweep the plateau.

The other three Maxims and the heavy guns were posted on the rear and flank faces.

The men were then directed to lie down between the guns and on the side; sentries and cossack posts were posted on each face.

[1] Note, July, 1899. In the Report of the Select Committee of the House of Commons (No. 311 of 1897), page 298, are the following:—

Sir Henry Campbell Bannerman: "Did you understand that you were to meet a considerable force at Krugersdorp coming from Johannesburg?

Sir John Willoughby: *Not when we started* from Pitsani, but certainly after the letters received from the cyclists

Meantime the Boers had occupied the numerous prospecting trenches and cuttings on the plateau at distances from 400 to 800 yards.

At 9 p.m. a heavy fire was opened on the bivouac, and a storm of bullets swept over and around us, apparently directed from all sides except the south-west. 9 p.m.

The troops were protected by their position on the slope below the level of the plateau, so that the total loss from this fire, which lasted about twenty minutes, was very inconsiderable.

The men behaved with admirable coolness, and were as cheery as possible, although very tired and hungry and without water.

We were then left unmolested for two or three hours.

About midnight another shower of bullets was poured into the camp, but the firing was not kept up for long. Midnight.

Somewhat later a Maxim gun opened on the bivouac, but failed to get our range.

At 3.30 a.m. patrols were pushed out on all sides, while the force as silently and rapidly as possible was got ready to move off. Thursday, January 2.

At 4 a.m. a heavy fire was opened by the Boers on the column, and the patrols driven in from the north and east sides.

Under the direction of Major R. White (assisted by Lieutenant Jesser-Coope) the column was formed under cover of the slope.

Soon after this the patrols which had been sent out to the south returned, and reported that the ground was clear of the Boers in that direction.

The growing light enabled us to ascertain that the Boers in force were occupying pits to our left and lining the railway embankment for a distance of one and a half miles right across the direct road to Johannesburg.

I covered the movements of the main body with the B.B.P. and two Maxims under Colonel Grey along the original left front of the bivouac, and two troops M.M.P., under Major R. White on the right front.

During all this time the firing was excessively heavy; however the main body was partially sheltered by the slope.

Colonel White then led the advance for a mile across the vley without casualty, but on reaching the opposite rise near the Oceanic Mine, was subjected to a very heavy long-range fire. Colonel White hereupon very judiciously threw out one troop to the left to cover the further advance of the main body.

This was somewhat delayed, after crossing the rise, by the disappearance of our volunteer guide of the previous night. 5 a.m.

Some little time elapsed before another guide could be obtained.

In the meantime, Lieutenant-Colonel Grey withdrew his force and the covering Maxims out of action under the protection of the M.M.P. covering troops, and rejoined the main body.

At this juncture Colonel Grey was shot in the foot, but most gallantly insisted on carrying on his duties until the close of the action.

Sub-Inspector Cazalet was also wounded here, but continued in action until he was shot again in the chest at Doornkop.

While crossing the ridge the column was subjected to a very heavy fire, and several men and horses were lost here.

I detailed a rearguard of one troop and two Maxims, under Major R. White, to cover our rear and left flank, and move the remainder of the troops in the ordinary day formation as rapidly forward as possible.

In this formation a running rear and flank guard fight was kept up for ten miles. Wherever the features of the ground admitted, a stand was made by various small detachments of the rear and flank guard.

In this manner the Boers were successfully kept a distance of 500 yards, and repulsed in all their efforts to reach the rear and flank of the main body.

In passing through the various mines and the village of Randfontein we met with hearty expressions of goodwill from the mining population, who professed a desire to help if only they had arms.

8 a.m. Ten miles from the start I received intelligence from Colonel Grey, at the head of the column, that Doornkop, a hill near the Speitfontein mine, was held by 400 Boers, directly barring our line of advance.

I repaired immediately to the front, Colonel White remaining with the rear-guard.

On arriving at the head of the column, I found the guns shelling a ridge which our guide stated was Doornkop.

The excellent dispositions for the attack made by Colonel Grey were then carried out.

The B.B.P., under Major Coventry, who I regret to say was severely wounded and lost several of his men, attacked and cleared the ridge in most gallant style and pushed on beyond it.

About this time Inspector Barry received the wound which we have learnt with grief has subsequently proved fatal.

Chief-Inspector Bodle at the same time, with two troops M.M.P., charged, and drove off the field a large force of Boers threatening our left flank.

The guide had informed us that the road to the right of the hill was impassable, and that there was open and easy country to the left.

This information was misleading. I afterwards ascertained that without storming the Boer position there was no road open to Johannesburg except by a wide detour of many miles to the right.

8.30 a.m. At this moment Dr. Jameson received a letter from the High Commissioner again ordering us to desist in our advance. Dr. Jameson informed me at the same time of the most disheartening news, viz., that he had received a message stating that Johannesburg would not or could not come to our assistance, and that we must fight our way through unaided.

Thinking that the first ridge now in our hands was Doornkop, we again pushed rapidly on, only to find that in rear of the ridge another steep and stony kopje, some 400 feet in height, was held by hundreds of Boers completely covered from our fire.

This kopje effectually flanked the road over which the column must advance at a distance of 400 yards. Scouting showed that there was no way of getting round this hill.

Surrounded on all sides by the Boers, men and horses wearied out, outnumbered by at least six to one, our friends having failed to keep their promises to meet us, and my force reduced numerically by one-fourth, I no longer considered that I was justified in sacrificing anv more of the lives of the men under me.

Wonderfully considerate! seeing how they deliberately risked the lives of thousands in Johannesburg when they started.

As previously explained, our object in coming had been to render assistance, without bloodshed if possible, to the inhabitants of Johannesburg. This object would in no way be furthered by a hopeless attempt to cut our way through overwhelming numbers, an attempt, moreover which must without any doubt have entailed heavy and useless slaughter.

9.15 a.m. With Dr. Jameson's permission, I therefore sent word to the Commandant that we would surrender provided that he would give a

guarantee of safe conduct out of the country to every member of the force.

To this Commandant Cronjé replied by a guarantee of the lives of all, provided that we would lay down our arms and pay all expenses.

In spite of this guarantee of the lives of all, Commandant Malan subsequently repudiated the guarantee in so far as to say that he would not answer for the lives of the leaders, but this was not until our arms had been given up and the force at the mercy of the Boers.

I attribute our failure to reach Johannesburg in a great measure to loss of time from the following causes:

(1) The delay occasioned by the demonstration in front of Krugersdorp, which had been assigned as the place of junction with the Johannesburg force.

(2) The non-arrival of that force at Krugersdorp or of the guides to the Krugersdorp-Johannesburg section of the road, as previously promised by Johannesburg.

(3) The delay consequent on moving to the firing of the supposed Johannesburg column just before dark on Wednesday evening.

How is it that nothing was said of this to Colliers and Rowland; nothing in the letter of Colonel White and Dr. Jameson which they wrote at 11 a.m. Wednesday; nothing in the message sent by Bugler Vallé, who was despatched on Thursday before daybreak *after* the Krugersdorp fight? How is it that if the forces were to meet at Krugersdorp Dr. Jameson telegraphed to Dr. Wolff to meet him *en route*, so as to decide whether to turn off *20 miles before reaching Krugersdorp* and march direct on Pretoria or go into Johannesburg first?

I append (1) a sketch-map of the route from Pitsani to Krugersdorp, marked A. This distance (154 miles) was covered in just under 70 hours, the horses having been off-saddled ten times. The 169 miles between Pitsani and Doornkop occupied 86 hours, during 17 of which the men were engaged with the Boers, and were practically without food or water, having had their last meal at 8 a.m. on the morning of the 1st January at Van Oudtshoorn's, 17 miles from Krugersdorp.

The average weight carried by each horse was 16 stone.

(2) List of officers engaged in the expedition and composition of the force marked B. From this it will be seen that there was a total of 494 men and officers (exclusive of staff).

(3) Plans of engagements at Krugersdorp and Doornkop, and of the bivouac on the night of January 1st.

I cannot close this narrative without testifying to the very great gallantry and endurance of all officers, non-commissioned officers, and troopers under my command in the field and on the march under most trying circumstances.

Composition of Force.

Lieutenant-Colonel Sir John Willoughby, Royal Horse Guards	Commanding.
Major Hon. Robert White, Royal Welsh Fusiliers	Senior Staff Officer.
Major C. Hyde Villiers, Royal Horse Guards ...	Staff Officer.
Captain Kincaid-Smith, Royal Artillery ...	Artillery Staff Officer.
Captain Kennedy, B.S.A.C.'s Service	Quartermaster.
Captain E. Holden, Derbyshire Yeomanry ...	Assistant Quartermaster.
Surgeon Captain Farmer, B.S.A. Co.	Medical Officers.
Surgeon Captain Seaton Hamilton, late 1st Life Guards	Medical Officers.

Lieutenant Grenfell, 1st Life Guards	Remount Officer.
Lieutenant Jesser-Coope, B.S.A. Co.	Transport Officer.
Captain Lindsell, late Royal Scots Fusiliers ...	In charge Scouts.
Major J. B. Stracey, Scots Guards	Officers temporarily attached to Staff.
Major Heany, B.S.A. Co.	
Captain Foley	
Lieutenant Harry R. Holden, late Grenadier Guards	

Officers of Mashonaland Mounted Police.

Lieutenant-Colonel Hon. H. F. White, Grenadier Guards	Commanding.
Inspector Bodle (late 6th Dragoons)	2nd in command.

Inspector Straker, commanding A Troop.
Inspector Dykes, commanding B Troop.
Inspector Barry, commanding C Troop.
Inspector Drury, commanding D Troop.
Sub-Inspectors Scott and Cashel, A Troop.
Sub-Inspectors Tomlinson and Chawner, B Troop.
Sub-Inspectors Cazalet and Williams, C Troop.
Sub-Inspectors Murray and Constable, D Troop.
Artillery Troop—Inspector Bowden and Sub-Inspector Spain.
Regimental Sergeant—Major Abbott.

Bechuanaland Border Police.

Lieutenant-Colonel Raleigh Grey, 6th Dragoons	Commanding.
Major Hon. Charles Coventry	2nd in command.

Captain Gosling, commanding G Troop.
Sub-Lieutenants Hoare and Wood, commanding G Troop.
Captain Munroe, commanding K Troop.
Sub-Lieutenant McQueen, commanding K Troop.
Medical Officer Surgeon Garraway.
Veterinary Surgeon Lakie.

Pitsani camp.	M.M. Police officers and men	372
	Staff	13
	Colony boys (leading horses, etc.)	65
	Horses	480
	Mules	128
	One 12½-pounder, 6 Maxims, 6 Scotch carts, 1 Cape cart, 2 grain waggons.	
Mafeking column.	B.B. Police officers and men	122
	Staff	1
	Drivers and leaders	10
	Horses	160
	Mules	30
	Two 7-pounders 2 Maxims, 2 Scotch carts, 2 Cape carts.	

Totals.				
Officers and men	494	Horses	640
Staff	14	Mules	158
Drivers, leaders, etc. ...	75	M.H. Maxims	8
		12½-pounder	1
		7-pounder	2
		Scotch carts	8
		Cape carts	3

AMMUNITION.

	Rounds.	
Carried by men and natives	50,000	Lee-Met.
Carried in Scotch carts and Cape carts	54,000	rifle.
Total ...	104,000	
On the guns	17,000	Maxim.
In carts	28,000	
Total ...	45,000	
On limber	44	12½-
On one Scotch cart	80	pounders
Total ...	124	
On limbers	70	7-pounders
In Scotch carts	172	
Total ...	242	

The rifle ammunition used was that supplied by the Maxim firm for their guns and also pellet powder.

The powder used with the 12½-pounder was that known as 'ballistite.' Rocket signals and limelights were carried, but not used.

EQUIPMENT CARRIED.

On the Person.

(*a*) Rifle (10 rounds).
(*b*) Bandolier (60 rounds).
(*c*) Haversack (½ day's ration).
(*d*) Water-bottle filled.

On the Saddle.

(*a*) Nosebag (5 lb. grain).
(*b*) Cloak on wallet.
(*c*) Rifle bucket.
(*d*) Patrol tin (with grocery ration).
(*e*) Leather axe-holder (every fourth man).

Near-side wallet, 30 rounds and ½ day's rations.
Off-side wallet, 20 rounds, tin dubbin, hold-all, and towel.
Average weight carried by horse = 16 stone.
" " " Scotch carts = 1,600 lb.

APPENDIX I.

MANIFESTO.

If I am deeply sensible of the honour conferred upon me by being elected chairman of the National Union, I am profoundly impressed with the responsibilities attached to the position. The issues to be faced in this country are so momentous in character that it has been decided that prior to the holding of a public meeting a review of the condition of affairs should be placed in your hands, in order that you may consider matters quietly in your homes. It has also been decided that it will be wise to postpone the meeting which was to have taken place on the 27th December until the 6th day of January next.

On that day you will have made up your minds on the various points submitted to you, and we will ask you for direction as to our future course of action. It is almost unnecessary to recount all the steps which have been taken by the National Union, and I shall therefore confine myself to a very short review of what has been done.

The Three Planks.

The constitution of the National Union is very simple. The three objects which we set before ourselves are : (1) The maintenance of the independence of the Republic, (2) the securing of equal rights, and (3) the redress of grievances. This brief but comprehensive programme has never been lost sight of, and I think we may challenge contradiction fearlessly when we assert that we have constitutionally, respectfully, and steadily prosecuted our purpose. Last year you will remember a respectful petition, praying for the franchise, signed by 13,000 men, was received with contemptuous laughter and jeers in the Volksraad. This year the Union, apart from smaller matters, endeavoured to do three things.

The Raad Elections.

First we were told that a Progressive spirit was abroad, that twelve out of twenty-four members of the First Volksraad had to be elected, and we might reasonably hope for reform by the type of broad-minded men who would be elected. It was therefore resolved that we should do everything in our power to assist in the election of the best men who were put up by the constituencies, and everything that the law permitted us to do in this direction was done.

Disappointed Hopes.

The result has been only too disappointing, as the record of the debates and the division list in the Volksraad prove. We were moreover told that public speeches in Johannesburg prevented the Progressive members from getting a majority of the Raad to listen to our requests, that angry passions were inflamed, and that if we would only hold our tongues reform would be brought about. We therefore resolved in all loyalty to abstain from inflaming angry passions, although we never admitted we had by act or speech given reason for legislators to refuse justice to all. Hence our silence for a long time.

The Railway Concession Next.

We used all our influence to get the Volksraad to take over the railway concession, but, alas! the President declared with tears in his voice that the independence of the country was wrapped up in this question, and a submissive Raad swept the petitions from the table.

The Franchise Petition.

Our great effort however was the petition for the franchise, with the moderate terms of which you are all acquainted. This petition was signed by more than 38,000 persons. What was the result? We were called unfaithful for not naturalizing ourselves, when naturalization means only that we should give up our original citizenship and get nothing in return, and become subject to disabilities. Members had the calm assurance to state, without any grounds whatever, that the signatures were forgeries; and, worst of all, one member in an inflammatory speech challenged us openly to fight for our rights, and his sentiment seemed to meet with considerable approval. This is the disappointing result of our honest endeavours to bring about a fusion between the people of this State, and the true union and equality which alone can be the basis of prosperity and peace. You all know that as the law now stands we are virtually excluded for ever from getting the franchise, and by a malignant ingenuity our children born here are deprived of the rights of citizenship unless their fathers take an oath of allegiance, which brings them nothing but disabilities.

The Bitter Cry of the 'Uitlander.'

We are the vast majority in this State. We own more than half the land, and, taken in the aggregate, we own at least nine-tenths of the property in this country; yet in all matters affecting our lives, our liberties, and our properties, we have absolutely no voice. Dealing now first with the legislature, we find taxation is imposed upon us without any representation whatever, that taxation is wholly inequitable, (*a*) because a much greater amount is levied from the people than is required for the needs of Government; (*b*) because it is either class taxation pure and simple, or by the selection of the subjects, though nominally universal, it is made to fall upon our shoulders; and (*c*) because the necessaries of life are unduly burdened.

Abuse of Public Expenditure.

Expenditure is not controlled by any public official independent of the Government. Vast sums are squandered, while the Secret Service Fund is a dark mystery to everybody. But, essential as the power to

control taxation and expenditure is to a free people, there are other matters of the gravest importance which are equally precious. The Legislature in this country is the supreme power, apparently uncontrolled by any fixed Constitution. The chance will of a majority in a Legislature elected by one-third of the people is capable of dominating us in every relation of life, and when we remember that those who hold power belong to a different race, speak a different language, and have different pursuits from ourselves, that they regard us with suspicion, and even hostility; that, as a rule, they are not educated men, and that their passions are played upon by unscrupulous adventurers, it must be admitted that we are in very grave danger.

Tribute to the Moderates.

I think it is but just to bear tribute to the patriotic endeavours of a small band of enlightened men in the Volksraad who have earnestly condemned the policy of the Government and warned them of its danger. To Mr. Jeppe, Mr. Lucas Meyer, the De Jagers, Mr. Loveday, and a few others in the First Raad, leaving out the second Raad, we owe our best thanks, for they have fought our battle and confirmed the justice of our cause. But when we look to the debates of the last few years, what do we find? All through a spirit of hostility, all through an endeavour not to meet the just wants of the people, not to remove grievances, not to establish the claim to our loyalty by just treatment and equal laws, but to repress the publication of the truth, however much it might be required in the public interest, to prevent us from holding public meetings, to interfere with the Courts, and to keep us in awe by force.

The Powers of the Executive.

There is now threatened a danger even graver than those which have preceded it. The Government is seeking to get through the Legislature an Act which will vest in the Executive the power to decide whether men have been guilty of sedition, and to deport them and confiscate their goods. The Volksraad has by resolution affirmed the principle, and has instructed the Government to bring up a Bill accordingly next session. To-day this power rests justly with the courts of law, and I can only say that if this Bill becomes law the power of the Executive Government of this country would be as absolute as the power of the Czar of Russia. We shall have said goodbye finally to the last principle of liberty.

President Kruger Indicted.

Coming to the Executive Government, we find that there is no true responsibility to the people, none of the great departments of State are controlled by Ministerial officers in the proper sense, the President's will is virtually supreme, and he, with his unique influence over the legislators of the House, State-aided by an able if hostile State Secretary, has been the author of every act directed against the liberties of the people. It is well that this should be recognized. It is well that President Kruger should be known for what he is, and that once for all the false pedestal on which he has so long stood should be destroyed. I challenge contradiction when I state that no important Act has found a place on the Statute-book during the last ten years without the seal of President Kruger's will upon it; nay, he is the father of every such Act. Remember

that all legislation is initiated by the Government, and, moreover, President Kruger has expressly supported every Act by which we and our children have been deprived by progressive steps of the right to acquire franchise, by which taxation has been imposed upon us almost exclusively, and by which the right and the liberty of the Press and the right of public meeting have been attacked.

The Judges and the Liberty of the Subject.

Now we come to the judicial system. The High Court of this country has, in the absence of representation, been the sole guardian of our liberties. Although it has on the whole done its work ably, affairs are in a very unsatisfactory position. The judges have been underpaid, their salaries have never been secure, the most undignified treatment has been meted out to them, and the status and independence of the Bench have on more than one occasion been attacked. A deliberate attempt was made two years ago by President Kruger and the Government to reduce the bench to a position subordinate to the Executive Government, and only recently we had in the Witfontein matter the last of the cases in which the Legislature interfered with vested rights of action. The administration of justice by minor officials, by native commissioners, and by field-cornets, has produced, and is producing, the gravest unrest in the country; and, lastly, gentlemen,

The Great Bulwark of Liberty,

the right to trial by jurymen who are our peers, is denied to us. Only the burgher or naturalized burgher is entitled to be a juryman; or, in other words, anyone of us is liable to be tried upon the gravest charge possible by jurymen who are in no sense our peers, who belong to a different race, who regard us with a greater or lesser degree of hostility, and whose passions, if inflamed, might prompt them, as weak human creatures, to inflict the gravest injustice, even to deprive men of their lives. Supposing, in the present tense condition of political feeling, any one of us were tried before a Boer jury on any charge having a political flavour about it, should we be tried by our peers, and should we have a chance of receiving even-handed justice?

The Secret Service Fund.

When we come to the Administration, we find that there is the grossest extravagance, that Secret Service moneys are squandered, that votes are exceeded, that the public credit is pledged, as it was pledged in the case of the Netherlands Railway Company, and later still in the case of the Selati Railway, in a manner which is wholly inconsistent with the best interests of the people.

Squandering the Public Revenue.

The Delagoa Bay festivities are an instance of a reckless disregard of a Parliamentary vote; £20,000 was voted for those useless festivities —about £60,000 was really expended, and I believe certain favoured gentlemen hailing from Holland derived the principal benefit. It is said that £400,000 of our money has been transferred for some extraordinary purpose to Holland. Recently £17,000 is said to have been sent out of the country with Dr. Leyds for Secret Service purposes, and the public audit seems a farce. When the Progressive members endeavoured to get an explanation about large sums of money they

were silenced by a vote of the majority prompted by President Kruger. The administration of the public service is in a scandalous condition.

A Corrupt Legislature.

Bribery and corruption are rampant. We have had members of the Raad accepting presents of imported spiders and watches wholesale from men who were applying for concessions, and we have the singular fact that in every instance the recipient of the gift voted for the concession. We have the President openly stating that such acceptance of presents was wholly moral. We have a condition of affairs in which the time of the meeting of the Volksraad is looked upon as the period of the greatest danger to our interests, and it is an open secret that a class of man has sprung up who is in constant attendance upon the members of the Volksraad, and whose special business appears to be the 'influencing' of members one way or the other. It is openly stated that enormous sums of money have been spent, some to produce illegitimate results, some to guard against fresh attacks upon vested rights. The Legislature passed an Act solemnly denouncing corruption in the public service. One man, not an official, was punished under the law, but nothing has ever been done since to eradicate the evil.

And a Tainted Civil Service.

I think thousands of you are satisfied of the venality of many of our public servants. I wish to guard against the assumption that all public servants are corrupt. Thank God there are many who are able and honourable men, and it must be gall and wormwood to these men to find the whole tone of the service destroyed, and to have themselves made liable to be included under one general denunciation. But there can be no health in an administration, and the public morals must be sapped also, when such things as the Smit case, and the recent Stiemens case, go unnoticed and unpunished.

Two Glaring Cases.

I think it right to state openly what those cases are. N. J. Smit is the son of a member of the Government. He absented himself for months without leave. He was meantime charged in the newspapers with embezzlement. He returned, was fined £25 for being absent without leave, and was reinstated in office. He is now the Mining Commissioner of Klerksdorp. He has been charged in at least two newspapers—one of them a Dutch newspaper, *Land en Volk*, published within a stone's throw of the Government Office—with being an 'unpunished thief,' and yet the Government have taken no notice of it, nor has he thought fit to bring an action to clear himself. In the Stiemens case two officials in the Mining Department admitted in the witness-box that they had agreed to further the application of a relative for the grant of a piece of public land at Johannesburg on condition that they were each to receive one quarter of the proceeds. A third official, the Landdrost of Pretoria, admitted that he had received £300 for his 'influence' in furthering the application; yet no notice had been taken by the Government of their scandalous conduct, and sad to say the judges who heard the case did not think it their duty to comment strongly upon the matter. I have in my possession now a notarial deed which proves that the Railway Commissioner, the Landdrost, and the Commandant of Pretoria are members of a syndicate whose avowed object is, or was, to wrest from the companies their right to the

'bewaarplaatsen. This shows what is going on, and what is the measure of safety of title to property. Those who should guard our rights are our worst enemies. In a law introduced by the present Government, the Government, instead of the Courts, are the final judges in cases of disputed elections. No Election Committees are allowed. This operates against candidates opposed to the Government, because the Government has virtually a vast standing army of committee men, henchmen, officials being allowed openly to take part in swaying elections, and the Government being in a position, by the distribution of contracts, appointments, purchase of concessions, the expenditure of Secret Service money and otherwise, to bring into existence and maintain a large number of supporters who act as canvassers always on the right side in times of elections.

Native Affairs.

The administration of native affairs is a gross scandal and a source of immense loss and danger to the community. Native Commissioners have been permitted to practise extortion, injustice, and cruelty upon the natives under their jurisdiction. The Government has allowed petty tribes to be goaded into rebellion. We have had to pay the costs of the 'wars,' while the wretched victims of their policy have had their tribes broken up, sources of native labour have been destroyed, and large numbers of prisoners have been kept in goal for something like eighteen months without trial. It was stated in the newspapers that, out of 63 men imprisoned, 31 had died in that period, while the rest were languishing to death for want of vegetable food. We have had revelations of repulsive cruelty on the part of field-cornets. We all remember the Rachman case, and the April case, in which the judges found field-cornets guilty of brutal conduct to unfortunate natives; but the worst features about these cases is that the Government has set the seal of its approval upon the acts of these officials by paying the costs of the actions out of public funds, and the President of the State a few days ago made the astounding statement in regard to the April case, that, notwithstanding the judgment of the High Court, the Government thought that Prinsloo was right in his action, and therefore paid the costs. The Government is enforcing the 'plakkerswet,' which forbids the locating of more than five families on one farm. The field-cornets in various districts have recently broken up homes of large numbers of natives settled on 'Uitlanders'' lands, just at the time when they had sown their crops to provide the next winter's food. The application of this law is most uneven, as large numbers of natives are left on the farms of the Boers. Quite recently a well-known citizen brought into the country at great expense some hundreds of families, provided them with land, helped them to start life, stipulating only that he should be able to draw from amongst them labour at a fair wage to develop his properties. Scarcely had they been settled when the field-cornet came down and scattered the people, distributing them among Boer farms. The sources of the native labour supply have been seriously interfered with at the borders by Government measures, and difficulties have been placed in the way of transport of natives by railway to the mines. These things are all a drain upon us as a State, and many of them are a burning disgrace to us as a people.

The Education Scandal.

The great public that subscribes the bulk of the revenue is virtually denied all benefit of State aid in education. There has been a deliberate

attempt to Hollanderise the Republic, and to kill the English language. Thousands of children are growing up in this land in ignorance, unfitted to run the race of life, and there is the possibility that a large number of them will develop into criminals. We have had to tax ourselves privately to guard against these dangers, and the iniquity of denying education to the children of men who are paying taxes is so manifest that I pass on with mingled feelings of anger and disgust.

Railways.

This important branch of the public service is entirely in the hands of a corporation domiciled in Holland. This corporation holds a concession, of course under which not only was there no adequate control over expenditure in construction, but it is entitled to charge and is charging us outrageous tariffs. How outrageous these are will be seen from the admission made by Mr. Middelberg that the short section of 10 miles between Boksburg and Krugersdorp is paying more than the interest on the cost of the construction of the whole line of railway to Delagoa Bay. To add these to its general revenue, of which 10 per cent. is set aside as a sinking fund, and then to take for itself 15 per cent. of the balance, the Company reports annually to the Raad from Amsterdam in a language which is practically foreign to it, and makes up its accounts in guelders, a coinage which our legislators I venture to say know nothing of; and this is independence. We are liable as guarantors for the whole of the debt. Lines have been built entirely on our credit, and yet we have no say and no control over these important public works beyond the show of control which is supposed to be exercised by the present Railway Commissioner. The Company in conjunction with the Executive Government is in a position to control our destinies to an enormous extent, to influence our relations internally and externally, to bring about such friction with the neighbouring States as to set the whole of South Africa in tumult. Petitions have been presented to the Raad, but the President has constantly brushed these aside with the well-worn argument that the independence of the State is involved in the matter. It is involved in the matter, as all who remember the recent Drifts question will admit. I have been told that it is dangerous for the country to take over the railway, because it would afford such an immense field for corruption. Surely this is the strongest condemnation of the Government by its friends, for if it is not fit to run a railway, how can it be fit to manage a whole State? The powers controlling this railway are flooding the public service with Hollanders to the exclusion of our own people, and I may here say that in the most important departments of the State we are being controlled by the gentlemen from the Low Country. While the innocent Boer hugs to himself the delusion that he is preserving his independence, they control us politically through Dr. Leyds, financially through the Netherlands Railway, educationally through Dr. Mansvelt, and in the Department of Justice through Dr. Coster.

Customs and Trade.

The policy of the Government in regard to taxation may be practically described as protection without production. The most monstrous hardships result to consumers, and merchants can scarcely say from day to day where they are. Twice now has the Government entered into competition with traders who have paid their licences and rents and who keep staffs. Recently grain became scarce. The Govern-

ment were petitioned to suspend the duties, which are cruelly high, in order to assist the mining industry to feed its labourers. The Government refused this request on the plea that it was not in a position to suspend duties without the permission of the Volksraad, and yet within a few days we find that the Government has granted a concession to one of its friends to import grain free of duty and to sell it in competition with the merchants who have had to pay duties. I do not attempt to deal with this important question adequately, but give this example to show how the Government regards the rights of traders.

Monopolies.

It has been the steady policy of the Government to grant concessions. No sooner does any commodity become absolutely essential to the community than some harpy endeavours to get a concession for its supply. There is scarcely a commodity or a right which has not been made the subject of an application for the grant of a concession. We all remember the bread and jam concession, the water concession, the electric lighting concession, and many others, but I need only point to the dynamite concession to show how these monopolies tend to paralyse our industries. There may be some of you who have not yet heard and some who have forgotten the facts connected with this outrage upon public rights.

Story of the Dynamite Concession.

Some years ago, Mr. Lippert got a concession for the sole right to manufacture and sell dynamite and all other explosives. He was to manufacture the dynamite in this country. For years he imported dynamite under the name of Guhr Impregne duty free. He never manufactured dynamite in the country, and upon public exposure, the Government was compelled to cancel the concession, the President himself denouncing the action of the concessionnaire as fraudulent. For a time we breathed freely, thinking we were rid of this incubus, but within a few months the Government granted virtually to the same people another concession, under which they are now taking from the pockets of the public £600,000 per annum, and this is a charge which will go on growing should the mining industry survive the persistent attempts to strangle it. How a body charged with the public interests could be parties to this scandalous fleecing of the public passes comprehension. Then, the curious feature about the matter is that the Government gets some petty fraction of this vast sum, and the concessionnaires have on this plea obtained enormous advances of public moneys from the Government, without security, to carry on their trade. Shortly, the concessionnaires are entitled to charge 90s. a case for dynamite, while it could be bought if there were no concession for about 30s. a case. It may be stated incidentally, that Mr. Wolmarans, a member of the Government, has been for years challenged to deny that he is enjoying a royalty of 2s. on every case of dynamite sold, and that he has up to the present moment neglected to take up the challenge. Proper municipal government is denied to us, and we all know how much this means with regard to health, comfort, and the value of property. The Statute Books are disfigured with enactments imposing religious disabilities; and the English language, the language spoken by the great bulk of the people, is denied all official recognition. The natural result of the existing condition of things is that the true owners of the mines are those who have invested no capital in them—

the Government, the railway concessionnaires, the dynamite concessionnaires, and others. The country is rich, and under proper government could be developed marvellously, but it cannot stand the drain of the present exactions. We have lived largely upon foreign capital, and the total amount of the dividends available for shareholders in companies is ridiculously small as compared with the aggregate amount of capital invested in mining ventures. Some day the inevitable result upon our credit and upon our trade will be forced upon us.

Hatred of the Saxon.

There is no disguising the fact that the original policy of the Government is based upon intense hostility to the English-speaking population, and that even against the enfranchised burgher of this State there is the determination to retain all power in the hands of those who are enjoying the sweets of office now, and naturally the grateful crowd of relations and friends and henchmen ardently support the existing *régime;* but there are unmistakable signs, and the President fears that the policy which he has hitherto adopted will not be sufficient to keep in check the growing population. It seems the set purpose of the Government to repress the growth of the industry, to tax it at every turn, to prevent the working classes from settling here and making their homes and surrounding themselves with their families, and there is no mistaking the significance of the action of the President when he opposed the throwing open of the town lands of Pretoria on the ground that 'he might have a second Johannesburg there,' nor that of his speech upon the motion for the employment of diamond drills to prospect Government lands, which he opposed hotly on the ground that 'there is too much gold here already.'

The Policy of Force.

We now have openly the policy of force revealed to us. £250,000 is to be spent upon the completing of a fort at Pretoria, £100,000 is to be spend upon a fort to terrorize the inhabitants of Johannesburg, large orders are sent to Krupp's for big guns, Maxims have been ordered, and we are even told that German officers are coming out to drill the burghers. Are these things necessary or are they calculated to irritate the feeling to breaking point? What necessity is there for forts in peaceful inland towns? Why should the Government endeavour to keep us in subjection to unjust laws by the power of the sword instead of making themselves live in the heart of the people by a broad policy of justice? What can be said of a policy which deliberately divides the two great sections of the people from each other, instead of uniting them under equal laws, or the policy which keeps us in eternal turmoil with the neighbouring States? What shall be said of the statecraft, every act of which sows torments, discontent, or race hatred, and reveals a conception of republicanism under which the only privilege of the majority of the people is to provide the revenue, and to bear insult, while only those are considered Republicans who speak a certain language, and in greater or less degree share the prejudices of the ruling classes?

A Stirring Peroration.

I think this policy can never succeed, unless men are absolutely bereft of every quality which made their forefathers free men; unless we have fallen so low that we are prepared to forget honour, self-

respect, and our duty to our children. Once more, I wish to state again in unmistakable language what has been so frequently stated in perfect sincerity before, that we desire an independent republic which shall be a true republic, in which every man who is prepared to take the oath of allegiance to the State shall have equal rights, in which our children shall be brought up side by side as united members of a strong commonwealth; that we are animated by no race hatred, that we desire to deprive no man, be his nationality what it may, of any right.

THE CHARTER OF THE UNION.

We have now only two questions to consider: (*a*) What do we want? (*b*) how shall we get it? I have stated plainly what our grievances are, and I shall answer with equal directness the question, 'What do we want?' We want: (1) the establishment of this Republic as a true Republic; (2) a Grondwet or Constitution which shall be framed by competent persons selected by representatives of the whole people and framed on lines laid down by them—a Constitution which shall be safeguarded against hasty alteration; (3) an equitable franchise law, and fair representation; (4) equality of the Dutch and English languages; (5) responsibility of the Legislature to the heads of the great departments; (6) removal of religious disabilities; (7) independence of the courts of justice, with adequate and secured remuneration of the judges; (8) liberal and comprehensive education; (9) efficient civil service, with adequate provision for pay and pension; (10) free trade in South African products. That is what we want. There now remains the question which is to be put before you at the meeting of the 6th January, viz., How shall we get it? To this question I shall expect from you an answer in plain terms according to your deliberate judgment.

CHARLES LEONARD,
Chairman of the Transvaal National Union.

APPENDIX K.

THE CASE OF THE CHIEFTAINESS TOEREMETSJANI

ON the reports which have appeared the case or cases of Toeremetsjani *v.* P. A. Cronjé, Jesaja *v.* P. A. Cronjé and D. J. Schoeman, Segole *v.* P. A. Cronjé and J. A. Erasmus, have attracted, as well they might, a good deal of attention. The following *résumé* and commentary were compiled by a legal gentleman who was present during the trial, but not professionally employed in it.

The facts revealed in the evidence (writes our correspondent) speak pretty well for themselves, but they were brought out into lurid prominence in the cross-examination of Commandant Cronjé by Mr. Justice Jorissen. In order to make the case quite clear, it is as well to state for the benefit of those who are not intimately acquainted with things in the Transvaal that this Mr. Cronjé, who is now the Superintendent-General of Natives, is the same Cronjé concerning whose action in regard to Jameson's surrender there was so much discussion. After the Jameson Raid, President Kruger, pursuing his policy of packing the Executive with his own friends, decided to put Cronjé upon the Executive, for which purpose he induced General Joubert to resign his position as Superintendent-General of Natives. The President's intention becoming known to Raad members, the strongest possible objection was expressed to this course as being wholly unconstitutional and in direct conflict with the Grondwet; the President in the first place having no right to add to the number of Executive members and no authority for appointing any person to fill a vacancy if there were one. Notice of motion was promptly given in the Raad to instruct the Executive not to take the proposed course, as the Raad felt that the privilege and power of appointing members on the Executive rested with them alone. Twenty-four hours' notice was requisite to bring a matter up for discussion before the Raad. President Kruger hearing that notice had been given promptly called a meeting of the Executive and appointed Mr. Cronjé in defiance of the notice of motion, so that when the motion came on for discussion on the following day he replied to the Raad's instruction that it was too late to discuss the matter, the appointment having been made. Mr. Cronjé, therefore, appears on the scene on this occasion without much to prejudice the unbiassed reader in his favour. The circumstances of the surrender of the Potchefstroom garrison, which was secured by treacherously suppressing the news of the armistice between the two forces (a treachery for which public reparation was afterwards exacted by Sir Evelyn Wood), the treatment of certain prisoners of war (compelled to work for the Boers exposed to the

fire and being shot down by their own friends in the garrison), the summary execution of other prisoners, the refusal to allow certain of the women to leave the British garrison, resulting in the death of at least one, are matters which although sixteen years old are quite fresh in the memory of the people in the Transvaal. The condition of Dr. Jameson's surrender revived the feeling that Mr. Cronjé has need to do something remarkable in another direction in order to encourage that confidence in him as an impartial and fair-minded man which his past career unfortunately does not warrant. Commandant Trichard, mentioned in this connection as a witness, was one of the commandants who refused to confirm the terms accorded by Cronjé to Jameson. Mr. Abel Erasmus is a gentleman so notorious that it would be quite unnecessary to further describe him. He is the one whom Lord Wolseley described as a fiend in human form, and threatened to "hang as high as Haman." Abel Erasmus is the man who had desolated the Lydenburg district; the hero of the cave affair in which men, women, and children were closed up in a cave and burnt to death or suffocated; a man who is the living terror of a whole countryside, the mere mention of whose name is sufficient to cow any native. Mr. Schoeman is the understudy of Abel Erasmus, and is the hero of the satchel case, in which an unfortunate native was flogged well-nigh to death and tortured in order to wring evidence from him who, it was afterwards discovered, knew absolutely nothing about the affair. The Queen, or Chieftainess, Toeremetsjani, is the present head of the Secocoeni tribe and the head wife of the late chief, Secocoeni. This tribe, it will be remembered, was the one which successfully resisted the Boers under President Burger and Commandant Paul Kruger—a successful resistance which was one of the troubles leading directly to the abortive annexation of the Transvaal. The Secocoeni tribe were afterwards conquered by British troops, and handed over to the tender mercies of the Boer Government upon the restoration of its independence.

It is necessary to bear these facts in mind in order to realise the hideous significance of the unvarnished tale.

Now to the trial.

Mr. Advocate WESSELS, who acted for the natives, gauging pretty accurately what the defence would be, called two witnesses to prove the *prima facie* case. Jesaja, one of the indunas flogged, whose case was first on the roll, proved that he was flogged by order of Commandant Cronjé without any form of trial, and without any charge or indictment being made against him, and that he received twenty-six lashes, the extra one being given because he declined to say 'Thank you' for the twenty-five. Commandant Trichard next gave evidence, and from him Mr. WESSELS elicited that Cronjé had gone through no form of trial, but handed over Jesaja and the other twelve indunas to be flogged by Erasmus and Schoeman.

Advocate: Do you positively swear that Commandant Cronjé specified the sentence of twenty-five lashes each?

Witness: Yes.

Which answer was quite in accordance with the pleas of Erasmus and Schoeman, who stated specifically that they administered the lashes in accordance with the orders and sentence given by Commandant Cronjé. The Court held that a sufficient *prima facie* case had been made out by the plaintiff, and that the onus now lay on the defendants to prove their case. The witnesses called were Commandant Cronjé and Mr. Stiemens, secretary to the former. Mr. Stiemens in his evidence fully corroborated Trichard's evidence as to the passing of the sentence by

Cronjé upon the indunas and the absence of any form of trial; and nothing more need be said about this witness. With Mr. Cronjé's evidence, however, it is necessary to deal at length. Mr. Cronjé admitted under cross-examination that he had not observed any particular form of trial, although, as was pointed out, the law dealing with native trials stated specifically 'that the rules which govern procedure in civilized courts shall be followed as closely as possible.' He stated that as regards the Chieftainess, he called her up and read over to her 'point by point' 'the indictment under which she was charged,' which indictment, however, as he admitted, consisted merely of a letter of complaint written by Field-cornet Schoeman to him as Superintendent-General of Natives. He claimed that no form of trial was necessary, inasmuch as he acted under the authority of the President, who has supreme power over natives, and was not obliged to observe any particular form of trial. 'Point by point I read the charge,' to use his own words, 'against the woman, and point by point I could see by her demeanour that she was guilty.' As regards the thirteen indunas, Mr. Cronjé admitted that he did not know whether these were indunas. He considered them guilty, not because they had done anything, but because in their position as advisers of the Chieftainess they ought to have advised her better than they appeared to have done. Instructions had therefore been given to arrest these indunas, and they had caught as many as they could. There was no evidence to show that they were indunas, or that they were ever in a position to advise or had advised the Chieftainess; in fact, it was admitted that they were a lot of thirteen caught out of a tribe as one might catch so many sheep out of a flock. Mr. Cronjé denied that he had sentenced these men, and repeatedly stated that he had handed them over to Erasmus and Schoeman, to be dealt with according to law.

Mr. WESSELS cross-examined the witness upon this point as follows:—

Advocate: I believe Commandant Trichard accompanied you on this commission?

Witness: Yes.

Advocate: He was present throughout the whole proceeding?

Witness: Yes.

Advocate: He had every opportunity of knowing what took place and what was said?

Witness: Yes.

Advocate: You will be surprised to hear that Mr. Trichard states that you actually passed sentence upon the thirteen indunas in such words as, 'I hand you over to the Native Commissioner and Field-cornet to be dealt with according to law. And you instigators will get twenty-five lashes each between the shoulders.' Do you positively deny that you said anything about twenty-five lashes?

Witness: Yes, I deny it.

Advocate: Do you deny that you gave any indication or opinion as to what ought to be done with these men?

Witness: Yes.

Advocate: Well, Mr. Cronjé, I want to know which of you two the Court is to believe, you or Commandant Trichard?

Witness: Commandant Trichard has made a mistake.

Advocate: No, no, no, Mr. Cronjé, that won't do; there are no mistakes in this business. I want you to tell the Court which of you two men under oath is lying and which is telling the truth.

Witness: Commandant Trichard is lying.

(At this point there was some commotion in Court caused by Com-

mandant Trichard jumping up and making use of some expressions towards the witness. The matter ended in a rather fierce altercation after the Court adjourned.) It is only necessary to add that Mr. Stiemans, who followed Cronjé, fully corroborated Trichard's evidence. There were many other interesting points brought out by Mr. WESSELS in his cross-examination, but it is unnecessary to further detail this part of the proceedings, as the same ground was covered by Mr. Justice Jorissen, who took the witness in hand and whose cross-examination brought out the salient features of the case with extreme vividness and dramatic effect. The Judge first dealt with that portion of the evidence relating to the so-called 'trial' of the Chieftainess.

Judge: Mr. Cronjé, in your evidence just now you said that you read over to this woman the charge that was laid against her. 'Point by point' you say you read it to her, and 'point by point you could see by her demeanour that she was guilty.' Is that so?

Witness: Yes.

Judge: Very well, Mr. Cronjé, I will take the indictment, 'point by point,' as you did. Point the first, Mr. Cronjé. (The Judge here read the first of the seven clauses in Schoeman's letter which formed the indictment.) Now kindly explain to me what there was in the woman's demeanour which conveyed to you the idea that she was guilty on this point.

The witness became considerably embarrassed and did not answer.

Judge: No answer, Mr. Cronjé? Well, we will take point No. 2. (The Judge dealt with all the seven clauses in a similar manner, the witness failing to make any answer throughout. After the last point had been dealt with and remained unanswered, the Judge addressed the witness again amid a most impressive silence in Court).

Judge: Mr. Cronjé, 'point by point' I have read to you the indictment as you read it to the woman; 'point by point' I have asked you to give me certain information; 'point by point' you have failed to make any answer. Well, Mr. Cronjé, I can only tell you this, 'point by point' I shall set that down in my notes. (After an interval, during which the Judge filled in his notes, the examination was resumed.)

Judge: Now, Mr. Cronjé, as I understand it, it was in consequence of Field-cornet Schoeman's complaint to you as Superintendent-General of Natives that you were sent by the Government to investigate the matter?

Witness: Yes.

Judge: You called the woman up before you and read to her the charges.

Witness: Yes.

Judge: You brought no evidence against her?

Witness: No.

Judge: You did not call upon Schoeman to produce any evidence against her?

Witness: No.

Judge: His letter of complaint to you seemed sufficient?

Witness: Yes.

Judge: You did not give her any opportunity to bring evidence?

Witness: It was not necessary.

Judge: Oh, dear no; I quite understand that 'you could tell from her demeanour that she was guilty.' But as a matter of form you did not hear any evidence on her behalf?

Witness: No.

Judge: You just sentenced her out of hand.

Witness: I sentenced her to pay a fine.

Judge: And then as regards the thirteen indunas, if they were indunas, as you deny sentencing them we need not refer further to that point, but I put this to you—there was no evidence brought against them?

Witness: No.

Judge: There was nothing to show that these men had ever advised the woman or were in a position to advise her; in fact, as far as the evidence goes, there was nothing to show that they even belonged to the tribe, but in your opinion they ought to have advised her differently, and you therefore sentenced them to twenty-five lashes each.

Witness: I did not sentence them, but handed them over to the proper authorities to be dealt with according to law.

Judge: Oh, no, Mr. Cronjé, that is not how the case appears to me. You came up to these people in the capacity of Judge, to do justice as between man and man according to your lights, to follow the procedure that is observed in civilized courts, to represent the strength, the rights, and the responsibilities of this Republic, and if we are to accept your evidence as true, you did not try the men whom you were to have tried. You heard evidence neither for nor against them, but you handed them over to—to whom, Mr. Cronjé? Not to the proper authorities, but to Erasmus and Schoeman, the other parties in the case which you were sent up to try. It seems to me, Mr. Cronjé, that this is a case without parallel.

There was no answer from the witness.

Judge: One point more, Mr. Cronjé, and I have finished. When you handed over these men to be dealt with, did you notify them that they had the right of appeal from any sentence that might be imposed upon them?

Witness: Yes, I did.

Judge: Right! Now, Mr. Cronjé, did you notify Erasmus and Schoeman that they should stay execution of the sentence pending the hearing of any appeal?

After considerable pause the witness was understood to say "No."

Judge: You did not tell these officials to stay execution?

Witness: No.

Judge: Then you merely gave these natives the right to appeal against the sentence of lashes after they should have received the lashes?

There was no answer from the witness.

Judge: That will do, Mr. Cronjé. I do not think that these people have much reason to thank you for the leave to appeal.

Cronjé was followed in the witness-box by Stiemens, whose evidence is already referred to, and the Court then adjourned.

The next morning, shortly before the opening of the Court, the State Attorney came down on behalf of the Government and arranged with Plaintiffs' Counsel to adjourn for the day to enable parties to try and settle the three cases out of Court. The Court thereupon adjourned at the request of parties, and during the day the three cases were settled on the following basis: The Government refunds Toeremetsjani the £147 10s. with interest at 6 per cent. from the date of payment by her to Erasmus, and pays her costs, to be taxed as between attorney and client.

The Defendants Cronjé, Erasmus, and Schoeman, pay each of the thirteen indunas who were flogged £25 as compensation, and pay the costs of Jesaja and Segole, to be taxed as between attorney and client.

POSTSCRIPT.

One last touch of irony is needed to complete the story of the suits brought by the Chieftainess Toeremetsjani and her indunas against Messrs. Erasmus, Schoeman, and the rest. It seems that these same gentlemen have actually been appointed by the Government to 'investigate matters' in the district where these Kaffirs live. Poor Toeremetsjani and the unfortunate indunas, as a contemporary remarks, may be expected to give a grovelling welcome. No more High Court for them.

The natives, by the way, interviewed since their return to the kraals, state that they have not yet received the settlement arranged.

In connection with the above sample of justice to the natives it is as well to recall another recent incident which has lately taken place. Some natives being severely mishandled by the local authorities, and being in consequence destitute of means to proceed against them in law, applied to Court for leave to sue *in forma pauperis*. This leave was granted. Immediately upon this becoming known petitions were got up among the Boers, with the result that the Volksraad some six weeks ago took a resolution instructing the Government to immediately bring in a law forbidding the judges to grant such leave, and making it impossible for a native to sue Government or any white person *in forma pauperis*. Comment (concludes the correspondent who sets out these various facts) is superfluous.

APPENDIX L.

59, HOLBORN VIADUCT, LONDON, E.C.
6th May, 1897.

REPORT ON THE LETTER WRITTEN ON A TORN TELEGRAM FORM SIGNED "F. R.", BY MR. T. H. GURRIN, EXPERT IN HANDWRITING.

Mr. THOMAS HENRY GURRIN, of 59, Holborn Viaduct, London, E.C., is a professional expert in handwriting, recognized and employed by the Director of Public Prosecutions, the Home Office, and the authorities at Scotland Yard, and is constantly engaged by them in that capacity. He is also frequently engaged in the same capacity by the Bank of England and other public bodies.

He has acted as handwriting expert in a very large number of civil and criminal cases at sessions, assizes, and before the High Courts, for over twelve years past, and can conscientiously say that his experience in the identification of genuine handwriting and the detection of forged and altered documents is very extensive.

Mr. Gurrin begs respectfully to submit the following report:—

'Having been instructed by Mr. Braunstein, solicitor, of 27, Great George Street, Westminster, I have examined a photograph of torn portions of a letter written on a telegram form of the South African Republic.

'My attention has been directed to the evidence of Major Sir J. C. Willoughby, appearing at page 302 of the Minutes, in which he has given his version of the missing portions of this document.

'I have compared this version of the missing words with the vacant spaces, and I find that the words supplied in question 5,571 would occupy, as near as can be estimated, the missing spaces, judging from the other writing in the document.

'I read the first portion of the document as follows:—

'"Dear Dr.,
"The rumour of massacre in"
"Johannesburg that started you to our"
"relief was not true. We are all right;"
"feeling intense; we have armed"
"a lot of men. Shall (not 'I shall') be very glad"
"to see you. We are not in possession of"
"town."

'Major Sir J. C. Willoughby reads line 6, "We (or the Boers)." It cannot possibly be "the Boers," as the first letter is clearly a portion of a capital "W," and corresponds with the first portion of the "W" as made at line 3; and further, there would be no room for the two words "the Boers," between the portion of the letter "W" and the word "not."

'Again, I am of opinion that the last word in line 6 was "of," as there is still visible an ascending curved stroke corresponding to that with which the writer terminates the letter "f."

'With reference to the rest of the version as contained in question 5,573, I respectfully submit that the missing words supplied are absolutely inconsistent with the spaces which these words would occupy if written naturally by the same writer.

'The words "I will bring at least three hundred" do not correspond with the still existing marks on line 7. The portion of a letter appearing in the middle of the line would not, as far as I can judge, be a part of any of the words suggested which would come at the centre of that line. It might be a part of a capital "W," or an initial "p," or it might be a final "d" turned back to the left, and the last letter in the line looks as though it was intended for an "e." In support of this theory, I compare it with the "e" at the end of the word "true" in line 3, and the "e" at the end of "intense," line 4. The writer, when making a final "d," makes the latter portion of the letter something like this, but in the instances in this document he exerts more pressure than we find here, see, for instance, the "d" in "started," at line 2, the "d" in "glad," in line 5, and "d" in "armed," line 4. Besides, I cannot think that this can be the end of the word "hundred," as, judging from the length of the word "started," the word "hundred" would have occupied from the third vertical line, and this would certainly leave no room for the other words suggested in the version given by Major Sir J. C. Willoughby, viz.: "We will bring at least, or about three." If the words "will send out some," or "we will send out some," are written in line 7 after the word "town," adopting, as nearly as possible, the space that would have been occupied by the writer for these words, they will just fill the line. In like manner, with regard to line 8, there is just room after the words "men to" for the two words "meet you," and the small mark appearing before the full stop might have been the terminal of the letter "u," but it would have been impossible to get into this small space the words "meet you at Krugersdorp," and even if the words "meet you at" were omitted, and if it be assumed that the word which originally stood there was "Krugersdorp," then the mark appearing before the full stop could not by any theory be construed as having been a portion of the letter "p," as I have examined various specimens of Colonel Rhodes' handwriting, and have seen him write specimens containing the letter "p" and find that he does not terminate a "p" with any stroke of this description, but that he terminates it inside the oval portion of the letter near the downstroke. With regard to the rest of the line, the last two letters appear to have been "ne," and there is a dot just in the position that would apparently have been occupied by the dot had the previous letter been "i." Consequently, I am of opinion that the theory that the words "will send," or "we will send out some men to meet you," "you are a fine fellow," is perfectly consistent with the spaces left in the torn document, but that the theory that the words which were originally in the spaces were "I will bring at least or about three hundred men to meet you at Krugersdorp, you are a gallant

fellow," is not only inconsistent with the amount of space available, but does not fit in with the letters and portions of letters still visible.

'T. H. GURRIN.'

Contents of the letter according to a statement signed by Dr. Jameson, Sir John Willoughby, Major Robert White and Colonel Raleigh Grey :—

'The rumour of massacre in Johannesburg that started you to our relief was not true. We are all right, feeling intense. We have armed a lot of men. I shall be very glad to see you. We (or the Boers) are not in possession of the town. I will bring at least, or about, 300 men to meet you at Krugersdorp. You are a gallant fellow.'

According to Colonel Francis Rhodes and Mr. Lionel Phillips, the contents are as follows :—

'The rumour of massacre in Johannesburg that started you to our relief was not true. We are all right, feeling intense. We have armed a lot of men. Shall be very glad to see you. We are not in possession of the town. We will send out some men to meet you. You are a fine fellow.'

'We, the undersigned, were present in the Reform Committee's room when Colonel Rhodes despatched the letter to Dr. Jameson, which commences, "Dear Dr.—The rumour of massacre." We read the letter, but cannot now recall the exact words on the missing fragments; but we do hereby declare on oath that there was no offer of 300 men, nor of any other specific number of men, nor was the word Krugersdorp mentioned. The spirit of the letter was to suggest that a few men should or would be sent in the character of a complimentary escort to show Dr. Jameson his camp.

'GEO. W. FARRAR.
'S. W. JAMESON.

'As witness—
'J. Percy FitzPatrick.
'Johannesburg, 10*th April*, 1897.'

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